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POLLUTION OF THE INTERSTATE WATERS OF THE BLACKSTONE AND TEN MILE RIVERS AND THEIR TRIBUTARIES-- MASSACHUSETTS AND RHODE ISLAND. PROCEEDINGS OF CONFERENCE, SESSION (2nd) HELD AT PROVIDENCE, RHODE ISLAND ON MAY 28, 1968

Federal Water Pollution Control Administration
Washington, D. C.

1968

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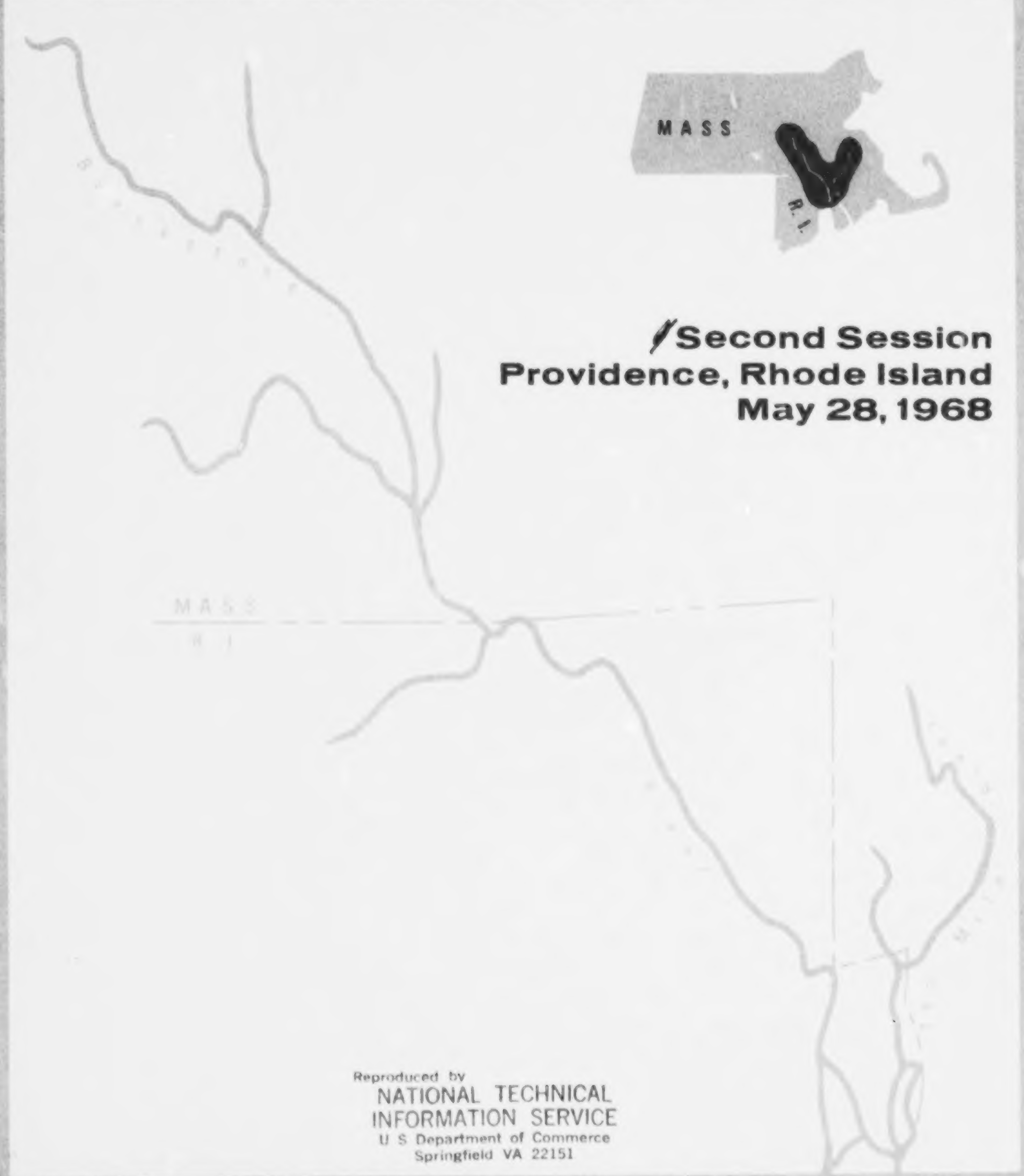
PROCEEDINGS



Second Session
Providence, Rhode Island
May 28, 1968

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CONFERENCE

Pollution of the Interstate Waters of the Blackstone and Ten Mile Rivers and their Tributaries-- Massachusetts and Rhode Island

i.

174

U.S. DEPARTMENT OF THE INTERIOR • FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

CONTENTS

	PAGE
Opening Statement by Murray Stein, Chairman	3
Honorable Edward M Kennedy statement read by Lester M. Klashman	20
Santo J. Gozzo	22
Mark Abelson	55
Richard E. Griffith statement read by Mr. Thomas Shrider	58
Alfred E. Peloquin	62
Thomas C. McMahon	73
Lawrence R. Fitton	89
John Franchi	92
Walter J. Shea	94
John Cronan	116
Walter Reisman	118
Lawrence R. Fitton representing Mayor Thomas A. Piggott	120
John B. Casazza	122
Henry Brousseau	125
Mrs. Richard B. Roberts	130
Closing Statements	132

The port is with

Second Session of the Conference in the Matter of Pollution of the Interstate Waters of the Blackstone and Ten Mile Rivers (Massachusetts-Rhode Island), held at the Sheraton-Biltmore Hotel, Providence, Rhode Island, on Tuesday, May 28, 1968, at 9:30 a.m.

It includes statements, discussion, and recommendations on: pollution abatement programs, industrial wastes; status of water pollution; and related information

PRESIDING:

Mr. Murray Stein, Assistant Commissioner for Enforcement, Federal Water Pollution Control Administration, Department of the Interior, Washington, D. C.

CONFEREES:

Lester M. Klashman, Regional Director, Federal Water Pollution Control Administration, Northeast Region, Boston, Massachusetts

Robert L. Yasi, Commissioner of Natural Resources, Massachusetts Department of Natural Resources, Boston, Massachusetts

Thomas C. McMahon, Director, Division of Water Pollution Control, Massachusetts Department of Natural Resources, Boston, Massachusetts

Alfred E. Peloquin, Executive Secretary New England Interstate Water Pollution Control Administration, Boston, Massachusetts

Walter J. Shea, Assistant Director of Health Environmental Health Services, Rhode Island Department of Health, Providence, Rhode Island

Carleton A. Maine, Chief, Division of Water Pollution Control, Rhode Island Department of Health, Providence, Rhode Island

PARTICIPANTS:

Honorable Edward M. Kennedy (read by Lester M. Klashman), United States Senator from the State of Massachusetts

Honorable Thomas A. Piggott, Mayor of the City of Attleboro Attleboro, Massachusetts (represented by Lawrence R. Fitton)

Mark Abelson, Northeast Regional Coordinator, U. S. Department of the Interior, Boston, Massachusetts

Henry Brousseau, Health Agent, City of Attleboro, Attleboro, Massachusetts

John B. Casazza, Staff Engineer, Division of Water Pollution Control, Massachusetts Department of Natural Resources, Boston, Massachusetts

PARTICIPANTS (Continued):

John Cronan, Department of Natural Resources, Rhode Island Division of Conservation, Providence, Rhode Island.

John Franchi, Bureau of Engineers, City of Worcester Worcester, Massachusetts.

Santo Gozzo, Staff Engineer, Northeast Regional Office, U. S. Department of the Interior, Federal Water Pollution Control Administration, Boston, Massachusetts.

Richard E. Griffith, Regional Director, Bureau of Sport Fisheries and Wildlife, U. S. Department of the Interior, Boston, Massachusetts, read by Thomas Shrider.

Walter Reisman, Stamina Mills, Inc. Forestdale, Rhode Island.

THOSE IN ATTENDANCE:

Mark Abelson, Regional Coordinator, J. F. Kennedy Federal Building, Boston, Massachusetts.

Earl Banner, Boston Globe, Boston, Massachusetts.

William R. Bibber, Outdoor Editor, Boston Herald Traveler, 300 Harrison Avenue, Boston, Massachusetts.

John J. Blais, Superintendent, Town of Northbridge, Upton Road, Northbridge, Massachusetts.

Arnold L. Blasbalg, Attorney, Rhode Island Health Department, 100 Fountain Street, Providence, Rhode Island.

THOSE IN ATTENDANCE (Continued):

Hagop Boghosian, Sr. Sanitary Engineer, R.I. Dept. of Health, Room 333, State Office Bldg., Providence, Rhode Island

Henry A. Brousseau, Health Agent, Attleboro Health Dept., 29 Park Street, Attleboro, Massachusetts

John B. Casazza, Sanitary Engineer, Comm. of Mass., State Office Bldg., Boston, Massachusetts

David M. Chmielewski, Reporter, Pawtucket Times, 23 Exchange Street, Pawtucket, Rhode Island

George Clarke, WJAR-TV News, 176 Weybosset St., Providence, Rhode Island

Geraldine A. Collier, Reporter, Worcester Evening Gazette, 20 Franklin Street, Worcester, Massachusetts

Alan N. Cooperman, Senior Sanitary Engineer, Mass. Dept. of Natural Resources, Water Pollution Control, 100 Cambridge Street, Boston, Mass.

John Cronan, Supervisor Marine Fisheries, Rhode Island Division of Conservation, 83 Park Street, Providence, Rhode Island

Robert F. Curran, Pollution Control Manager, Geigy Chemical Corp., 180 Mill Street, Cranston, Rhode Island

Mrs. Robert E. Dik, President, League of Women Voters, 53 Beechmont St., Worcester, Mass.

Ceilia G. Dimond (Mrs.), Barrington League of Women Voters, 8 Fireside Drive, Barrington, Rhode Island

Thomas M. Donoghue, Assistant Editor, Air & Water News, 330 West 42nd Street, New York, New York

Walter Eastman, Vice President, Stamina Mills, Inc., Forestdale, Rhode Island.

George R. Farrar, Reporter, The Woonsocket Call, 75 Main Street, Woonsocket, Rhode Island

THOSE IN ATTENDANCE (Continued):

Lawrence R. Fitton, Supervisor of Planning and Zoning, City of Attleboro, 29 Park Street, Attleboro, Massachusetts

Anthony John Franchi, Resident Engineer, City of Worcester, Bureau of Engineers, 23 East Worcester Street, Worcester, Massachusetts

R. C. Frederksen, Providence Journal, Providence, Rhode Island

Santo J. Gozzo, Enforcement, FWPCA, J. F. Kennedy Federal Building, Boston, Massachusetts

Denison W. Greene, Governors Advisory Committee, West Kingston, Rhode Island

H. V. Hadfield, Chief Chemist, Bird & Son, Dexter Road, Rumford, Rhode Island

W. T. Harrington, TV News, WHDH-Boston, Massachusetts

Pearce M. Klazer, Senior Sanitary Engineer, Rhode Island Dept. of Health, Room 33, State Office Building, Providence, Rhode Island

Charles Larson, Regional Shellfish Consultant, U. S. Public Health Service, John F. Kennedy Federal Building, Boston, Mass.

Gordon Leaf, Geologist, U. S. Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, Pennsylvania

James E. Madigan, Assistant Superintendent, Northbridge Sewer Dept., 1827 Providence Road, Northbridge, Mass.

Philip J. Mara, Selectman, Town of Grafton, Grafton, Mass.

Earl Marshand, Reporter, Boston Herald Traveler, Boston, Mass.

Thomas Mattson, Blackstone Valley Bureau Chief, Telegram Worcester Gazette, Worcester Tel. & Gazette, 91 Church St., Whitinsville, Mass.

Archibald McDonald, WBZ-TV, Boston, Mass.

THOSE IN ATTENDANCE (Continued):

Michael J. Murphy, News Director, WARA Radio, Attleboro, Mass.

Robert Z. Nemeth, Editorial Writer, Worcester Telegram & Evening Gazette, 20 Franklin Street, Worcester, Mass.

Herbert R. Pahren, FWPCA, J. F. Kennedy Fed. Bldg., Boston, Mass

Laurent P. Peloquin, Assistant Secretary, Branch River Wool Combing, P. O. Box 950, Woonsocket, Rhode Island.

George N Peterson, Selectman, Town of Grafton, 12 North Street, Grafton, Mass.

Donald S. Pottle, Associate Sanitary Engineer, Mass. Div. of Water Pollution Control, Boston, Mass.

Mrs. Richard B. Roberts, Coordinator, League of Women Voters, 27 Montague Street, Worcester, Mass.

James A. Rosenthal, Worcester Telegram, Reporter, Worcester, Mass.

Robert B. Russ, Director, Public Works Dept., City of Woonsocket, 169 Main Street, Woonsocket, Rhode Island.

Thomas A. Schrader, Assistant Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office & Courthouse Bldg., Boston, Mass.

Mrs. Helen Schuster, 51 Potter Road, North Kingstown, Rhode Island.

Michael J. Stedman, Reporter, Record-American, Boston, Mass.

William Swaine, Civil Engineer, U. S. Army Corps of Engineers, 424 Trapelo Road, Waltham, Mass.

Loring Swain, State House Reporter, Lowell Sun, Lowell, Mass.

Tad Rajda, Assistant Enforcement Officer, FWPCA, Washington, D. C.

Thomas J. Troter, Reporter, Attleboro Sun, 5 Streeter Inc., Attleboro, Mass.

THOSE IN ATTENDANCE (Continued):

Ernest W. Tuckerman, Jr., Facilities Engineer, Corning Glass Works, 1193 Broad St., Central Falls, Rhode Island

Ken Wayne, WNAC-TV, Channel 7, Boston, Mass.

G. R. Whittum, Chief Engineer, U.S. Steel Corp., 1060 Millbury St., Worcester, Mass.

Virgina S. Wood, Reporter, Patriot Ledger, 13 Temple St., Quincy, Mass.

PROCEEDINGS

OPENING STATEMENT
BY
MR. MURRAY STEIN

MR. STEIN: The conference is open.

The second session of the conference in the matter of pollution of the interstate waters of the Blackstone and Ten Mile Rivers and their tributaries is being held under the provisions of the Federal Water Pollution Control Act.

Under the provisions of the Act, the Secretary of the Interior is authorized to call a conference of this type when on the basis of reports, surveys or studies he has reason to believe that pollution of interstate waters subject to abatement under the Federal Act is occurring.

The purpose of the conference is to bring together State and interstate water pollution control agencies, representatives of the U.S. Department of the Interior and other interested parties to review the existing situation and the progress which has been made, to lay a basis of future action by all parties concerned and to give the States, localities, and industries an opportunity to take any indicated remedial action under State and local law.

We have State and Federal conferees here and now I ask the conferees to introduce themselves. We will start on the left.

MR. McMAHON: My name is Thomas McMahon, Director of the Division of Water Pollution Control in the Massachusetts Department of Natural Resources.

MR. YASI: My name is Robert L. Yasi, Commissioner of Natural Resources, Massachusetts.

MR. MAINE: Carleton Maine, Division of Water Pollution Control, Rhode Island.

MR. SHEA: Walter J. Shea, Assistant Director of Health for Rhode Island.

MR. KLASHMAN: Lester M. Klashman, Regional Director, Federal Water Pollution Control Administration, Northeast Region.

MR. PELOQUIN: Alfred E. Peloquin, Executive Secretary, New England Interstate Water Pollution Control Commission.

MR. STEIN: My name is Murray Stein. I am Assistant Commissioner of Enforcement, Federal Water Pollution Control Administration, and representative of Secretary Udall.

For the purpose of making the record complete, without objection I would like to insert into the record at this time the summary of the first session of the conference.

(the above - mentioned summary follows.)

SUMMARY OF CONFERENCE
(FIRST SESSION)

POLLUTION OF INTERSTATE WATERS

OF THE

BLACKSTONE AND TEN MILE RIVERS
AND THEIR TRIBUTARIES
(MASSACHUSETTS-RHODE ISLAND)

January 26, 1965

The Blackstone River begins in the southern part of Worcester, Massachusetts, and flows in a southeasterly direction for 42 miles to Pawtucket, Rhode Island, then southerly for 7 miles to its mouth at the Seekonk River. Principal tributaries include the Mumford and West Rivers from Massachusetts, and the Branch River from Rhode Island. The Ten Mile River begins in Plainville, Massachusetts, and follows an irregular, but generally southerly, course for a distance of 21 miles where it, too, joins the Seekonk River in Rhode Island.

On the basis of reports, surveys, or studies, the Secretary of Health, Education, and Welfare having reason to believe that pollution of the Blackstone and Ten Mile Rivers and their tributaries caused by discharges of untreated and inadequately treated sewage and industrial wastes in Massachusetts and Rhode Island was endangering the health or welfare of persons in Rhode Island and Massachusetts, called a conference in the matter of pollution of the interstate waters of the Blackstone and Ten Mile Rivers and their tributaries. The conference was held on January 26, 1965, in the Veterans Administration Hospital Auditorium, Davis Park, Providence 8, Rhode Island.

The following conferees representing the State water pollution control agencies of Massachusetts and Rhode Island, the New England Interstate Water

Pollution Control Commission, and the U.S. Department of Health, Education, and Welfare attended the conference:

Francis J. LaRiviere	Executive Secretary New England Interstate Water Pollution Control Commission Boston, Massachusetts
Walter J. Shea	Assistant Director of Health, in charge Environmental Health Services Rhode Island Department of Public Health Providence, Rhode Island
Worthen H. Taylor	Chief Engineer Division of Sanitary Engineering Massachusetts Department of Public Health Boston, Massachusetts
Alfred E. Peloquin	Chief, Water Quality Section, Region I Division of Water Supply and Pollution Control Department of Health, Education, and Welfare Boston, Massachusetts
Murray Stein, Chairman	Department of Health, Education, and Welfare Washington, D.C.

The following also participated in the conference:

Mrs. Ralph G. Anderton	League of Women Voters East Providence, Rhode Island
Honorable Cyril K. Brennan	Mayor Attleboro, Massachusetts
Fred L. Corey	Director of Public Works City of Woonsocket, Rhode Island
John E. Graham, III, Esq.	Attorney at Law Providence, Rhode Island
Bryant L. Hopkins	Chairman New England Interstate Water Pollution Control Commission Boston, Massachusetts

Eugene Jensen	Chief, Shellfish Sanitation Branch Division of Environmental Engineering and Food Protection Public Health Service Department of Health, Education, and Welfare Washington, D. C.
Kenneth M. Mackenthun	Aquatic Biologist Robert A. Taft Sanitary Engineering Center Department of Health, Education, and Welfare Cincinnati, Ohio
Mrs. Ralph T. Salmi	League of Women Voters Worcester, Massachusetts
Robert M. Schacht	Representing Governor John H. Chafee of Rhode Island
Thomas A. Schrader	Chief, Division of Technical Services Bureau of Sport Fisheries and Wildlife Department of the Interior Boston, Massachusetts
Gaston Warlop	President Branch River Wool Combing Company N. Smithfield, Rhode Island

The Chairman of the conference pointed out that:

1. Under the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), pollution of interstate waters which endangers the health or welfare of persons in a State other than the one in which the discharges originate is subject to abatement under procedures described in section 8 of the Federal Act.
2. The first step of this procedure is the calling of a conference.
3. The purpose of the conference is to bring together the representatives of the State and interstate water pollution control agencies and the U.S. Department of Health, Education, and Welfare to review the

existing situation and the progress which has been made, to lay a basis for future action by all parties concerned, and to give the States, localities and industries an opportunity to take any remedial action under State and local law which may be indicated.

Conferees representing the Massachusetts Department of Public Health, the Rhode Island Department of Health, the New England Interstate Water Pollution Control Commission and the U.S. Department of Health, Education, and Welfare were present throughout the conference.

Mr. Kenneth M. Mackenthun of the Department of Health, Education, and Welfare presented a report on the Blackstone and Ten Mile Rivers and their tributaries (Massachusetts-Rhode Island) which specifically covered the sources of pollution, the types of wastes discharged, and the interferences with water uses.

Representatives of the Massachusetts Department of Public Health, the Rhode Island Department of Health, and the New England Interstate Water Pollution Control Commission presented statements concerning pollution of the Blackstone River and Ten Mile River and their tributaries.

In the light of conference discussions the following conclusions were reached and recommendations made:

1. The conferees agreed that both the Blackstone River and the Ten Mile River are interstate streams within the meaning of the Federal Water Pollution Control Act.
2. It is the position of the Federal conferee that interstate pollution of the Blackstone River and Ten Mile River subject to abatement under the Federal Water Pollution Control Act is occurring. The Federal

report indicates that during the period of survey (March and August 1964), waste discharges from municipalities and industries in Massachusetts and Rhode Island caused deterioration of water quality of the interstate waters of the Blackstone and Ten Mile Rivers so as to interfere with the use of these waters for recreation and fishing, create a condition which constitutes a health hazard for water contact sports, and create an offensive appearance and unpleasant odors.

3. The conferee representing the State of Massachusetts stated that waste discharges affect the water quality of the Blackstone and Ten Mile Rivers, but these discharges do not create a condition which endangers health or welfare of persons in another State.

4. The Rhode Island conferees stated that the Federal report shows conditions which no longer exist. The Federal conferee stated that the Blackstone and Ten Mile Rivers should be substantially improved because of treatment facilities put in operation after the Federal survey, but that interstate pollution subject to abatement under the Federal Water Pollution Control Act still is occurring.

5. The conferees agreed that remedial measures adequate to abate the existing pollution have not been installed. The delays in taking appropriate remedial measures are caused by municipalities and industries not meeting the pollution abatement requirements of both States.

6. At the time of the Federal survey, the Blackstone and Ten Mile Rivers in the region of the Massachusetts-Rhode Island State line were considered Class D on the basis of their existing water quality, but

the States of Massachusetts and Rhode Island and the New England Interstate Water Pollution Control Commission have classified these waters as Class C for future highest use. Both States have initiated an abatement program to put this classification into effect. Class C waters are suitable for recreational boating, irrigation of crops not used for consumption without cooking, habitat for wildlife and common food and game fishes indigenous to the region, industrial cooling and most industrial process uses. Class D waters are suitable for transportation of sewage and industrial wastes without nuisance, and for power, navigation and certain industrial uses.

7. The Federal conferee acknowledged the cooperation of Massachusetts and Rhode Island in obtaining information on the Blackstone and Ten Mile Rivers and making it available to the Federal agencies.

8. The Massachusetts conferee presented a pollution abatement program to achieve Class C water quality. This program is contained in Attachment I to this summary.

9. The Rhode Island conferee presented a pollution abatement program to achieve Class C water quality. This program is contained in Attachment II to this summary.

10. The Federal conferee recommended that the schedules of Massachusetts and Rhode Island be expanded to include terminal dates for construction. It is the Federal position that the Regional office be advised upon completion of the various engineering studies and preliminary planning; that a schedule for construction be completed within ninety days after the completion of the studies and preliminary planning, and that all pollution abatement measures be completed by January 1, 1969.

11. It is the position of the Massachusetts and Rhode Island conferees that no final completion dates be set for construction as this will delay the construction.

12. The conferees unanimously agreed to prepare a report every six months on the status of pollution abatement programs in the conference area, and they further agreed to prepare a report on the next phase of construction plans within three months after the final reports on the first phase are completed.

13. The conferees unanimously recommended that any remedial work be done as early as practicable.

ATTACHMENT I

The conferee representing the Massachusetts Department of Public Health presented the following pollution abatement program to achieve Class C water quality:

BLACKSTONE RIVER

Town or City

Worcester

Municipal - Existing treatment plant in operation. Application for preliminary planning of additional facilities in New York regional office of HHFA. Study to be completed 12 months after contract signing. Expected completion date July 1966.

Millbury

Municipal - Construction plans are completed. 50% of the funds for construction were appropriated at the 1964 town meeting. The additional 50% is to be appropriated at the next annual town meeting. The sewerage system will receive and treat industrial wastes as well as domestic sewage. Construction should be completed by April 1967.

Sutton

Industrial - Sniders Packing - Engineering report to be completed by October 1965.

Grafton

Municipal - Engineering report and preliminary planning are completed. Construction plans to be completed by January 1966. Industrial wastes to be included in the municipal sewerage system.

Northbridge

Municipal - There is an existing secondary sewage treatment plant. A study has been completed and Phase 1 of additional needed construction approved by the Massachusetts Department of Public Health; additional treatment works to be constructed in the summer of 1965.

Uxbridge

Municipal - Town meeting to authorize HHFA loan for preliminary planning. Municipal planning to include treatment of industrial wastes. Engineering report and preliminary planning to be completed by February 1966.

Douglas

Industrial - Engineering report to be completed by April 1966.

Millville

Municipal - Adequate individual subsurface disposal will be required. Industrial - Blackstone Wool Combing Company to have engineering report by September 1965.

Blackstone

Municipal - HHFA preliminary planning was authorized at the recent town meeting. Report and preliminary planning to be completed by February 1966. Industrial waste treatment to be included in municipal report and preliminary planning.

TEN MILE RIVER

Town or City

Plainville

Municipal - Engineering report and preliminary planning to be completed by March 1966.

North Attleboro

Municipal - Secondary sewage treatment plant now in operation. Study of necessary improvements is underway and will be completed by June 3, 1965.

Attleboro

Municipal - Secondary sewage treatment plant completed in 1964. Additional connections to be made to sewerage system. Industrial - Dodgeville Finishing to discharge into the municipal system. Thompson Chemical to complete engineering report by January 1966.

Seekonk

Industrial - Attleboro Dyeing & Finishing to complete engineering report by January 1966.

INDUSTRIAL - SOURCES OF INORGANIC INDUSTRIAL WASTES

A complete waste survey has been completed on most industries. Generally, the wastes consist of heavy metals, acids and alkalies. These wastes normally require pretreatment before discharge to a municipal sewerage system. Normally, the same treatment coupled with good housekeeping practices is sufficient treatment for discharge into the stream. The study by each industry and certain in-plant changes are to be completed by January 1966.

ATTACHMENT II

The conferee representing the Rhode Island Department of Health presented the following pollution abatement program to achieve Class C water quality:

BLACKSTONE RIVER

Woonsocket

1) Industries, not now connected to the city's sewers, are to be connected and their wastes are to be treated by the City of Woonsocket. 2) The City of Woonsocket will make a study to determine the type of sewers necessary to carry the industrial wastes. 3) The existing secondary treatment facilities will be expanded to provide secondary treatment for all sewage collected in the City's sewers.

BRANCH RIVER

Branch River Wool Combing Company

This company has stopped discharging its wastes to the Branch River. Its wastes are disposed of in 3 lagoons which have no outfalls to the river. The company expects that evaporation will keep the lagoons from overflowing into the Branch River.

Stamina Mills, Inc.

This industry plans to seek means of treating its wastes.

The following two communities were not included in the Federal report.

Town of Cumberland

The town has obtained an engineering report on sewers and sewage treatment, recommending the expenditure of approximately

$4,700,000 for such facilities. The town has directed its consultants to prepare construction plans for the recommended work.

Town of Lincoln

The town has obtained an engineering report on sewers. The town's engineers have recommended the installation of sewers at a cost of $3,300,000. Disposal would be provided by the Blackstone Valley Sewer District Commission.

TEN MILE RIVER

Pawtucket Dyeing and Bleaching Company

This plant is located in Rhode Island, but as its wastes are treated in lagoons located in Massachusetts and discharged in Massachusetts, the Rhode Island conferee questioned the authority of the State of Rhode Island to act in the matter.

MR. STEIN: This is the second session and we are here largely to determine the existing situation--what progress has been made, what has to be done and to see if we have a program working here that dovetails. We will call on the Federal Government, the Interstate agency and the States for statements and, of course, these people can bring invitees. For the purpose of the record, I suggest that anyone other than a conferee who wishes to make a statement come up to the lecturn, identify himself by giving his name and organization.

We will make both the summary of the conference and transcript available to the official State and interstate water pollution control agencies for distribution after the conference. This has worked successfully in the past, so these will be made available to your State agencies and you may get them from them.

We will call on Mr. Klashman for the Federal statement. I would ask if at anytime you can't hear in the back that you just raise your hand. I think the acoustics in this room are fairly good and we won't have any problems. However, if there is a problem, call that to our attention and don't let it drag on and come back a half hour later and say, "I really didn't hear very much." Mr. Klashman.

MR. YASI: Mr. Chairman, while Mr. Lester Klashman is getting ready, I would like to make a statement for the record concerning jurisdiction so that the rights of Massachusetts on the question of jurisdiction will be saved.

MR. STEIN: Let me make this clear: This is a conference and by participation in the conference or by statements in the conference there will be just Massachusetts and Rhode Island and there is no waiver of any right or the waiver of any jurisdictional right or anything else here by not making appropriate objection at the time. These will all be reserved and the States or any of the representatives or as a matter of fact any one of the people causing the pollution can make these objections later, and let me point out the nature of this operation because this is the way Congress intended and set it up. In the ultimate when you move ahead in a case you don't really move against the State--Massachusetts, Rhode Island or the interstate agency; they are not the polluters. The polluters are usually industries, municipalities or other installations. Really, when you come down to the point, the rights we are talking about are the rights of those polluters, their legal and jurisdictional rights, rather than any of the parties sitting up here. At this stage all there may be are State or Federal rights concerned, but certainly at the conference stage there will be no waivers.

MR. YASI: I would just reply that as far as Massachusetts is concerned I want the record to indicate that we consider the municipalities of the Commonwealth of Massachusetts as part of our Government and I just wanted that on the record.

MR. STEIN: All right. Mr. Klashman.

MR. KLASHMAN: Mr. Chairman, I would like to read first into the record a letter from Senator Edward Kennedy who tried very hard to attend this conference and was unable to make it because of other commitments. Would you please insert the letter as an exhibit and I will read the text.

MR. STEIN: You want it inserted in the record completely as if read?

MR. KLASHMAN: Yes.

MR. STEIN: Without objection that will be so done.

LETTER, DATED MAY 24, 1968, OF THE HONORABLE EDWARD M. KENNEDY, UNITED STATES SENATOR, WASHINGTON, D. C., (READ BY MR. LESTER M. KLASHMAN).

MR. KLASHMAN: "Dear Mr. Klashman:

"Let me express my gratitude to those who are attending the Workshop on the Blackstone River. I regret that I could not be with you today, but prior commitments have made it impossible to attend.

"I consider these workshops fundamental for achieving cooperation and compliance with water pollution control. They provide the opportunity to check on progress as well as to include those individuals not covered in previous meetings. In the case of this workshop, we need to firm up compliance dates and establish a time schedule to bring all parties under the Water Quality Standards set by the Commonwealth of Massachusetts.

"It is therefore, with a strong sense of task ahead that I encourage you to make this workshop the source of useful and constructive ideas on how we can move as rapidly as possible towards our goal--cleaner, more sightly and enjoyable streams and waters for the people of New England.

"With all best wishes,

"Sincerely,

"Edward M. Kennedy"

(The above-mentioned letter follows.)

EDWARD M. KENNEDY
MASSACHUSETTS

United States Senate
WASHINGTON, D.C.

May 24, 1968

Mr. Lester M. Klashman
Regional Director
New England Region
Federal Water Pollution Control Administration
John F. Kennedy Federal Building
Boston, Massachusetts

Dear Mr. Klashman:

re: Blackstone River Water Pollution
Conference, Providence, Rhode Island

Let me express my gratitude to those who are attending the Workshop on the Blackstone River. I regret that I could not be with you today, but prior commitments have made it impossible to attend.

I consider these workshops fundamental for achieving cooperation and compliance with water pollution control. They provide the opportunity to check on progress as well as to include those individuals not covered in previous meetings. In the case of this workshop, we need to firm up compliance dates and establish a time schedule to bring all parties under the Water Quality Standards set by the Commonwealth of Massachusetts.

It is therefore, with a strong sense of the task ahead that I encourage you to make this workshop the source of useful and constructive ideas on how we can move as rapidly as possible towards our goal-----cleaner, more sightly and enjoyable streams and waters for the people of New England.

With all best wishes,

Sincerely,

Edward M Kennedy

Edward M. Kennedy

Santo J. Gozzo

MR. KLASHMAN: I would like to now call on Mr. Santo J. Gozzo, who is a staff engineer with the Regional Office of the Federal Water Pollution Control Administration in Boston, to present our statement.

MR. GOZZO: Mr. Chairman, I would like to read only a portion of the report but I would like the entire report entered as if read, including the exhibits.

MR. STEIN: That includes the map inserts?

MR. GOZZO: Yes, sir.

MR. STEIN: Without objection this will be done.

FEDERAL REPORT OF POLLUTION OF INTERSTATE WATERS OF THE BLACKSTONE AND TEN MILE RIVERS, MASSACHUSETTS AND RHODE ISLAND (SECOND SESSION), PRESENTED BY MR. SANTO J. GOZZO

MR. GOZZO: Report of Pollution of Interstate Waters of the Blackstone and Ten Mile Rivers, Massachusetts and Rhode Island (Second Session).

I INTRODUCTION.

On the basis of reports, surveys, or studies the Secretary of Health, Education, and Welfare, having reason to believe that pollution of the Blackstone and Ten Mile Rivers and their tributaries caused by discharges of untreated and inadequately treated sewage and industrial wastes in Massachusetts and Rhode Island was endangering the health or welfare of persons in these States, called a conference in the matter of pollution of the interstate waters of the Blackstone and Ten Mile Rivers and their tributaries (Massachusetts-Rhode Island). The conference was held on January 26, 1965, in Providence, Rhode Island.

This second session of the conference on the Blackstone and Ten Mile Rivers was called to consider progress made in abating pollution since the first session, to determine what additional steps may be necessary to protect these rivers, and to resolve discrepancies between the dates contained in the water quality standards implementation plans and the first session of this enforcement conference.

II SUMMARY OF THE FIRST CONFERENCE

Conferees representing the Massachusetts Department of Public Health, the Rhode Island Department of Health, the New England Interstate Water Pollution Control Commission and the U. S. Department of Health, Education, and Welfare attended the first session of the conference. A report was presented on the Blackstone and Ten Mile Rivers and their tributaries (Massachusetts-Rhode Island) which specifically covered the sources of pollution, the types of wastes discharged and the interference with water uses.

Santo J. Gozzo

In the light of conference discussions the following conclusions were reached and recommendations made:

1. The conferees agreed that both the Blackstone and Ten Mile Rivers are interstate streams within the meaning of the Federal Water Pollution Control Act.

2. It is the position of the Federal conferee that interstate pollution of the Blackstone River and Ten Mile River subject to abatement under the Federal Water Pollution Control Act is occurring. The Federal report indicates that during the period of survey (March and August 1964) waste discharges from municipalities and industries in Massachusetts and Rhode Island caused deterioration of water quality of the interstate waters of the Blackstone and Ten Mile Rivers so as to interfere with the use of these waters for recreation and fishing, create a condition which constitutes a health hazard for water contact sports, and create an offensive appearance and unplesant odors.

3. The conferee representing the State of Massachusetts stated that waste discharges affect the water quality of the Blackstone and Ten Mile Rivers but these discharges do not create a condition which endangers health or welfare of persons in another State.

4. The Rhode Island conferee stated that the Federal report shows conditions which no longer exist. The Federal conferee stated that the Blackstone and Ten Mile Rivers should be substantially improved because of treatment facilities put in operation after the Federal survey, but that interstate pollution subject to abatement under the Federal Water Pollution Control Act still is occurring.

5. The conferees agreed that remedial measures adequate to abate the existing pollution have not been installed. The delays in taking appropriate

remedial measures are caused by municipalities and industries not meeting the pollution abatement requirements of both States.

6. At the time of the Federal survey, the Blackstone and Ten Mile Rivers in the region of the Massachusetts-Rhode Island State line were considered Class D on the basis of their existing water quality, but the States of Massachusetts and Rhode Island and the New England Interstate Water Pollution Control Commission have classified these waters as Class C for future highest use. Both States have initiated an abatement program to put this classification into effect. Class C waters are suitable for recreational boating, irrigation of crops not used for consumption without cooking,habitat for wildlife and common food and game fishes indigenous to the region, industrial cooling and most industrial process uses. Class D waters are suitable for transportation of sewage and industrial wastes without nuisance and for power navigation and certain industrial uses.

7. The Federal conferee acknowledged the cooperation of Massachusetts and Rhode Island in obtaining information on the Blackstone and Ten Mile Rivers and making it available to the Federal agencies.

8. The Massachusetts conferee presented a pollution abatement program to achieve Class C water quality. This program is contained in Attachment II to this summary.

9. The Rhode Island conferee presented a pollution abatement program to achieve Class C water quality. This program is contained in Attachment II to this summary.

10. The Federal conferee recommended that the schedules of Massachusetts and Rhode Island be expanded to include terminal dates for construction.

It is the Federal position that the Regional office be advised upon completion of the various engineering studies and preliminary planning; that a schedule for construction be completed within ninety days after the completion of the studies and preliminary planning, and that all pollution abatement measures be completed by January 1, 1969.

11. It is the position of the Massachusetts and Rhode Island conferees that no final completion dates be set for construction as this will delay the construction.

12. The conferees unanimously agreed to prepare a report every six months on the status of pollution abatement programs in the conference area, and they further agreed to prepare a report on the next phase of construction plans within three months after the final reports on the first phase are completed.

13. The conferees unanimously recommended that any remedial work be done as early as practicable.

III AREA

The Blackstone River begins in the southern part of Worcester, Massachusetts, and flows in a southeasterly direction for 42 miles to Pawtucket, Rhode Island, and then southerly for 7 miles to the beginning of the Seekonk River. Principal tributaries include the Mumford and West Rivers from Massachusetts and the Branch River from Rhode Island. The Ten Mile River begins in Plainville, Massachusetts and follows an irregular, but generally southerly course for a distance of 21 miles where it, too, joins the Seekonk River in Rhode Island.

The crystal clear headwaters of the Blackstone River are impounded by a series of dams which form reservoirs that furnish the water supply for the city of Worcester.

Below Worcester, however, the Blackstone receives sanitary wastes, as well as wastes arising from such industrial operations as wool scouring, wool dyeing and finishing, pickling liquors, rubber processing and paper coating resulting in degradation of the river.

The Branch River, the largest tributary in the Blackstone River Basin, receives industrial wastes and sewage from plant employees in Rhode Island. The Mumford River receives sewage and industrial wastes in the reach between Sutton, Massachusetts, and Uxbridge, Massachusetts, and the West River receives industrial wastes and sewage from plant employees in Massachusetts. The Ten Mile River receives municipal wastes, as well as plating, pickling, chemical and textile wastes.

IV. SOURCES OF WASTES

Table I lists the status of water pollutuon abatement programs for the municipalities and industries discharging domestic wastes to the portions of the Blackstone and Ten Mile River Basins included in this conference for both Massachusetts and Rhode Island. The water classifications in these charts are those taken from the water quality standards submission from the respective States. This listing has been modified from that of the first session by the addition of new sources of pollution and by the deletion of those previous sources that have either been eliminated by connection to a municipal or regional treatment facility or whose discharges were from private dwellings which constituted an insignificant contribution to the pollution of the waters.

Table 2 has similarly been modified since the last session and contains the industrial wastes discharged to the Blackstone in both Massachusetts and Rhode Island. There are a number of jurisdictions listed for which the schedule shown indicates corrective measures should have been completed. However, data confirming the completion of the corrective measures have not yet been received. We understand that the States will report and clarify this status at this progress meeting.

Table 3 list industrial waste discharges to the portion of the Ten Mile River Basin included in this conference.

Examination of the tables shows that for the majority of the sources of pollution the time schedules contained in the water quality standards submitted by the States are later than the dates recommended in the April 7, 1965, letter to the States from the Secretary of Health, Education, and Welfare. It appears that most polluters will not meet the compliance schedule that resulted from the first session of the enforcement conference. In general, the dates proposed in the water quality standards are 6 to 24 months later.

It should be noted that there is one industry located in Pawtucket, Rhode Island, that is discharging its wastes to the Massachusetts portion of the Ten Mile River. This discharge was not contained in the Massachusetts water quality standards, nor was the plant listed as a source of pollution in the Rhode Island water quality standards.

V. WATER USES

The Blackstone and Ten Mile River are used principally for industrial water supply, recreation, power production and waste disposal. The Ten Mile River is currently used for municipal water supply.

Industrial Water Supply: The Blackstone and Ten Mile River provide process water to industry and are used for cooling, water power and fire protection.

Fishing: The Blackstone River once supported a notable run of American Shad that was destroyed by the construction of dams.

Presently, all fishery pursuits are severely limited by pollution. The main stem is practically uninhabitable for fish. A few fish, mostly carp and sucker are taken from the river. When pollution is abated, the Blackstone River will be repopulated naturally by warm-water species of fish. We understand that at Albion, Rhode Island, during blasting in connection with bridge construction, bass, perch, pickerel and blue gills were killed. Trout, which are stocked in Lake Quinsigamond during the spring of each year, provide sport fishing for about 30 days after the fish are released. Fisherville Pond near Fisherville, Massachusetts, is also reported to provide fishing.

The Ten Mile River is stocked with about 800 brook trout at Plainville, Massachusetts, during the spring of each year. The condition of the water is such that, in all probability, a game fish population could not be supported naturally. When pollution is abated, there is a distinct probability that warm-water species will repopulate naturally without restocking.

Seining of golden shiners for bait fish is carried out on the Blackstone River from Woonsocket to Pawtucket, Rhode Island.

Other Recreational Pursuits: Some canoeing activity is reported for the Blackstone River. However, physical difficulties are present that require many portages.

Lake Quinsigamond and other nearby ponds are used for boating, swimming, water skiing and other water-contact sports. Where there is suitable water, some of the people who live near the stream and some who visit the river to enjoy being near water will swim on an unorganized basis.

Hydropower: The Blackstone and Ten Mile Rivers have been used for power purposes since shortly after settlement began. Thirteen hydroelectric plants on the Blackstone River use 200 feet of the total fall of 439 feet and have a total installed capacity of 6, 500 kilowatts.

RECOMMENDATIONS:

It is recommended: (1) That the dates proposed by the respective States in their water quality standards implementation plans be adopted as the compliance dates for the enforcement conference.

(2) That for those industries or municipalities not listed in the water quality standards a series of dates be established by the conferees which will be commensurate with those for surrounding municipalities and industries.

(3) That for the industry located in Rhode Island and discharging in Massachusetts, the conferees establish a schedule for this industry to tie to the Pawtucket Sewerage system at the earliest possible date but no later than January 1, 1969, and that the conferee from Rhode Island specify the pretreatment, if any required prior to the tie-in.

That concludes our Federal report. Are there any questions?

(Report on Pollution of Interstate Waters of the Blackstone and Ten Mile Rivers - Massachusetts-Rhode Island follows on page 31.)

MR. STEIN: Are there any questions or comments?

MR. PELOQUIN: I have a couple of comments, Mr. Chairman. Paragraph 5 on page 3 of the Report indicates, "The delays in taking appropriate remedial measures are caused by municipalities and industries not meeting the pollution abatement requirements of both States." I would like to point out that the States had programs at that time, and they were made appendices to the summary, published subsequent to the first conference, and also since that time in accordance with the requirement of the Water Quality Act of 1965,

REPORT ON
POLLUTION OF INTERSTATE WATERS OF THE BLACKSTONE & TEN MILE RIVERS—MASSACHUSETTS - RHODE ISLAND

(SECOND SESSION)

U.S. DEPARTMENT OF THE INTERIOR

FEDERAL WATER POLLUTION CONTROL ADMINISTRATION
Northeast Region
Boston Mass.
MAY 1968

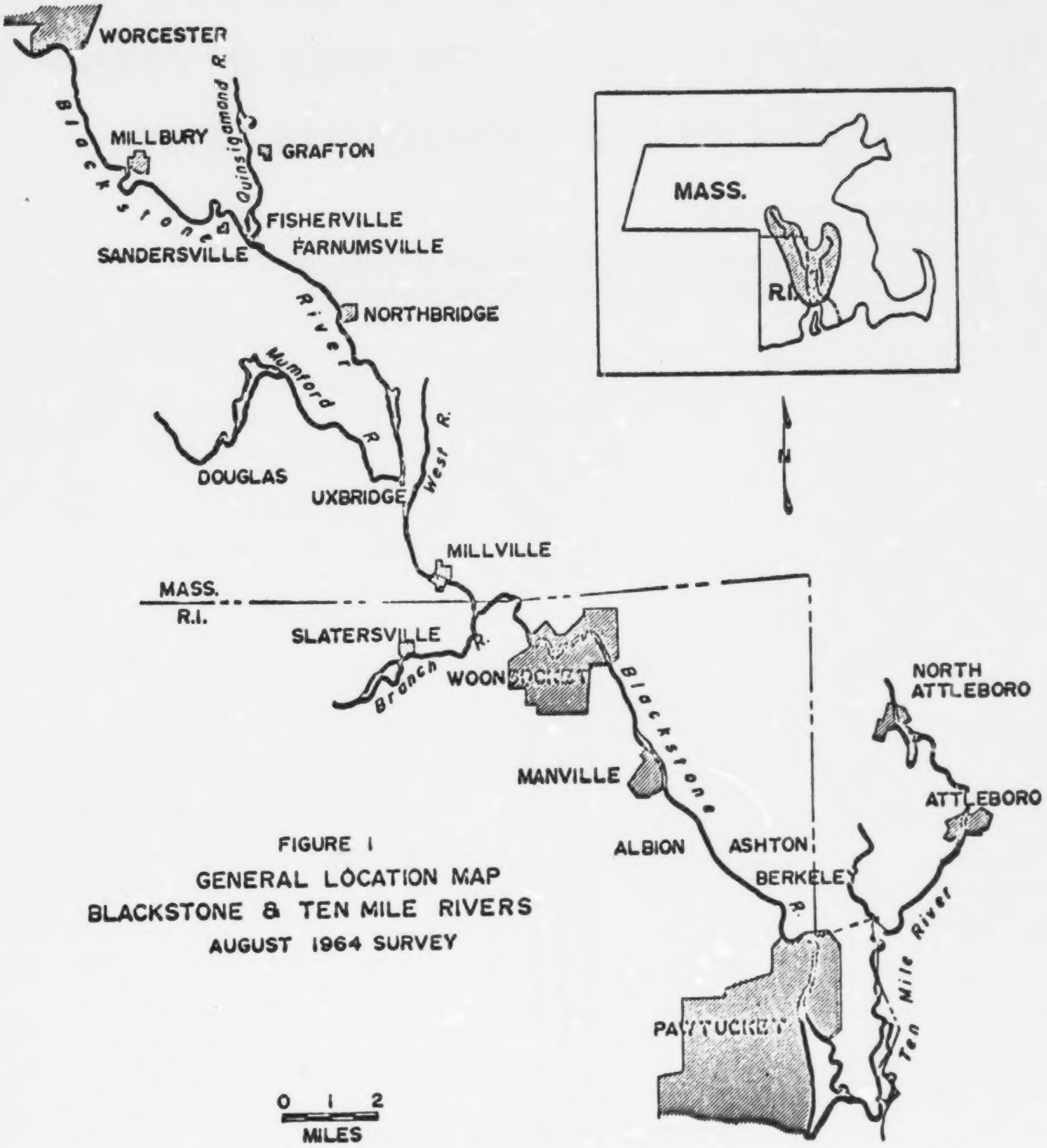
WORCESTER
Blackstone River
Quinsigamond R.
MILLBURY
GRAFTON
FISHERVILLE
FARNUMSVILLE
SANDERSVILLE
NORTHBRIDGE
Mumford R.
West R.
DOUGLAS
UXBRIDGE
MILLVILLE
MASS.
R.I.
SLATERSVILLE
Branch R.
WOONSOCKET
Blackstone R.
MANVILLE
ALBION
ASHTON
BERKELEY
NORTH ATTLEBORO
ATTLEBORO
PAWTUCKET
Ten Mile River
MASS.
R.I.
N
0 1 2
MILES

FIGURE 1
GENERAL LOCATION MAP
BLACKSTONE & TEN MILE RIVERS
AUGUST 1964 SURVEY

ERRATA
FOR REPORT ON
POLLUTION OF INTERSTATE WATERS OF
THE BLACKSTONE AND TEN MILE RIVERS
MASSACHUSETTS-RHODE ISLAND
(Second Session)

1. Page 4 following last sentence, Section 12, add - The states have fulfilled the intent of this Section by periodic oral reports.

2. Table I, Page 2, Municipal wastes for Woonsocket, correct recommended treatment to read - Rehabilitation of Secondary - similarly correct remarks to - Rehabilitation of Secondary.

REPORT ON
POLLUTION OF INTERSTATE WATERS OF THE BLACKSTONE AND TEN MILE RIVERS MASSACHUSETTS-RHODE ISLAND
(Second Session)

I. INTRODUCTION

On the basis of reports, surveys, or studies, the Secretary of Health, Education, and Welfare*, having reason to believe that pollution of the Blackstone and Ten Mile Rivers and their tributaries caused by discharges of untreated and inadequately treated sewage and industrial wastes in Massachusetts and Rhode Island was endangering the health or welfare of persons in these States, called a conference in the matter of pollution of the interstate waters of the Blackstone and Ten Mile Rivers and their tributaries (Massachusetts-Rhode Island). The conference was held on January 26, 1965, in Providence, Rhode Island.

This second session of the conference on the Blackstone and Ten Mile Rivers was called to consider progress made in abating pollution since the first session, to determine what additional steps may be necessary to protect these rivers, and to resolve discrepancies between the dates contained in the Water Quality Standards Implementation Plans and the first session of this enforcement conference.

II. SUMMARY OF THE FIRST CONFERENCE

Conferees representing the Massachusetts Department of Public Health, the Rhode Island Department of Health, the New England Interstate Water Pollution Control Commission, and the U. S. Department of Health, Education, and Welfare attended the first session of the conference. A report was presented on the Blackstone and Ten Mile Rivers and their tributaries (Massachusetts-Rhode Island) which specifically covered the sources of pollution, the types of wastes discharged, and the interferences with water uses.

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*Reorganization has transferred the water pollution control activities from the Department of Health, Education, and Welfare, Public Health Service, to the Department of the Interior, Federal Water Pollution Control Administration.

In the light of conference discussions the following conclusions were reached and recommendations made:

1. The conferees agreed that both the Blackstone River and the Ten Mile River are interstate streams within the meaning of the Federal Water Pollution Control Act.

2. It is the position of the Federal conferee that interstate pollution of the Blackstone River and Ten Mile River subject to abatement under the Federal Water Pollution Control Act is occurring. The Federal report indicates that during the period of survey (March and August 1964) waste discharges from municipalities and industries in Massachusetts and Rhode Island caused deterioration of water quality of the interstate waters of the Blackstone and Ten Mile Rivers so as to interfere with the use of these waters for recreation and fishing, create a condition which constitutes a health hazard for water contact sports, and create an offensive appearance and unpleasant odors.

3. The conferee representing the State of Massachusetts stated that waste discharges affect the water quality of the Blackstone and Ten Mile Rivers but these discharges do not create a condition which endangers health or welfare of persons in another State.

4. The Rhode Island conferee stated that the Federal report shows conditions which no longer exist. The Federal conferee stated that the Blackstone and Ten Mile Rivers should be substantially improved because of treatment facilities put in operation after the Federal survey but that interstate pollution subject to abatement under the Federal Water Pollution Control Act still is occurring.

5. The conferees agreed that remedial measures adequate to abate the existing pollution have not been installed. The delays in taking appropriate remedial measures are caused by municipalities and industries not meeting the pollution abatement requirements of both States.

6. At the time of the Federal survey, the Blackstone and Ten Mile Rivers in the region of the Massachusetts-Rhode Island State Line were considered Class D on the basis of their existing water quality, but the States of Massachusetts and Rhode Island and the New England Interstate Water Pollution Control Commission have classified these waters as Class C for future highest use. Both States have initiated an abatement program to put this classification into effect. Class C* waters are suitable for recreational boating, irrigation of crops not used for consumption without cooking, habitat for wildlife and common food and game fishes indigenous to the region, industrial cooling, and most industrial process uses. Class D* waters are suitable for transportation of sewage and industrial wastes without nuisance and for power, navigation, and certain industrial uses.

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*These classifications have been redefined since the first session of the conference.

7. The Federal conferee acknowledged the cooperation of Massachusetts and Rhode Island in obtaining information on the Blackstone and Ten Mile Rivers and making it available to the Federal agencies.

8. The Massachusetts conferee presented a pollution abatement program to achieve Class C water quality.

9. The Rhode Island conferee presented a pollution abatement program to achieve Class C water quality.

10. The Federal conferee recommended that the schedules of Massachusetts and Rhode Island be expanded to include terminal dates for construction. It is the Federal position that the Regional Office be advised upon completion of the various engineering studies and preliminary planning, that a schedule for construction be completed within 90 days after the completion of the studies and preliminary planning, and that all pollution abatement measures be completed by January 1, 1969.

11. It is the position of the Massachusetts and Rhode Island conferees that no final completion dates be set for construction, as this will delay the construction.

12. The conferees unanimously agreed to prepare a report every six months on the status of pollution abatement programs in the conference area, and they further agreed to prepare a report on the next phase of construction plans within three months after the final reports on the first phase are completed.

13. The conferees unanimously recommended that any remedial work be done as early as practicable.

III. AREA

The Blackstone River begins in the southern part of Worcester, Massachusetts, and flows in a southeasterly direction for 42 miles to Pawtucket, Rhode Island, then southerly for 7 miles to the beginning of the Seekonk River. Principal tributaries include the Mumford and West Rivers from Massachusetts and the Branch River from Rhode Island. The Ten Mile River begins in Plainville, Massachusetts, and follows an irregular, but generally southerly, course for a distance of 21 miles where it, too, joins the Seekonk River in Rhode Island.

The crystal clear headwaters of the Blackstone River are impounded by a series of dams which form reservoirs that furnish the water supply for the City of Worcester. Below Worcester, however, the Blackstone receives sanitary wastes, as well as wastes arising from such industrial operations as wool scouring, wool dyeing and finishing, pickling liquors, rubber processing, and paper coating, resulting in degradation of the river.

The Branch River, the largest tributary in the Blackstone River Basin, receives industrial wastes and sewage from plant employees in Rhode Island. The Mumford River receives sewage and industrial wastes in the reach between Sutton, Massachusetts, and Uxbridge, Massachusetts, and the West River receives industrial wastes and sewage from plant employees in Massachusetts. The Ten Mile River receives municipal wastes, as well as plating, pickling, chemical, and textile wastes.

IV. SOURCES OF WASTES

Table 1 lists the status of water pollution abatement programs for the municipalities and industries discharging domestic wastes to the portions of the Blackstone and Ten Mile River Basins included in this conference for both Massachusetts and Rhode Island. The water classifications in these charts are those taken from the Water Quality Standards submission from the respective States. This listing has been modified from that of the first session by the addition of new sources of pollution and by the deletion of those previous sources that have either been eliminated by connection to a municipal or regional treatment facility or whose discharges were from private dwellings which constituted an insignificant contribution to the pollution of the waters.

Table 2 has similarly been modified since the last session and contains the industrial wastes discharged to the Blackstone in both Massachusetts and Rhode Island. There are a number of jurisdictions listed for which the schedule shown indicates corrective measures should have been completed. However, data confirming the completion of the corrective measures have not yet been received. We understand that the States will report and clarify this status at this progress meeting.

Table 3 lists industrial waste discharges to the portion of the Ten Mile River Basin included in this conference.

Examination of the tables shows that for the majority of the sources of pollution the time schedules contained in the Water Quality Standards submitted by the States are later than the dates recommended in the

April 7, 1965, letter to the States from the Secretary of Health, Education, and Welfare. It appears that most polluters will not meet the compliance schedule that resulted from the first session of the enforcement conference. In general, the dates proposed in the Water Quality Standards are six to twenty-four months later.

It should be noted that there is one industry located in Pawtucket, Rhode Island, that is discharging its wastes to the Massachusetts portion of the Ten Mile River. This discharge was not contained in the Massachusetts Water Quality Standards, nor was the plant listed as a source of pollution in the Rhode Island Water Quality Standards.

V. WATER USES

The Blackstone and Ten Mile Rivers are used principally for industrial water supply, recreation, power production, and waste disposal. The Ten Mile River is currently used for municipal water supply.

Industrial Water Supply

The Blackstone and Ten Mile Rivers provide process water to industry and are used for cooling, water power, and fire protection.

Fishing

The Blackstone River once supported a notable run of American shad that was destroyed by the construction of dams. Presently, all fishery pursuits are severely limited by pollution. The main stem is practically uninhabitable for fish. A few fish, mostly carp and suckers, are taken from the river. When pollution is abated, the Blackstone River will be repopulated naturally by warm-water species of fish. We understand that at Albion, Rhode Island, during blasting in connection with bridge construction, bass, perch, pickerel, and blue gills were killed. Trout, which are stocked in Lake Quinsigamond during the spring of each year, provide sport fishing for about 30 days after the fish are released. Fisherville Pond near Fisherville, Massachusetts, is also reported to provide fishing.

The Ten Mile River is stocked with about 800 brook trout at Plainville, Massachusetts, during the spring of each year. The condition of the water is such that, in all probability, a game fish population could not be supported naturally. When pollution is abated, there is a distinct probability that warm-water species will repopulate naturally without restocking.

Seining of golden shiners for bait fish is carried out on the Blackstone River from Woonsocket to Pawtucket, Rhode Island.

Other Recreational Pursuits

Some canoeing activity is reported for the Blackstone River. However, physical difficulties are present that require many portages.

Lake Quinsigamond and other nearby ponds are used for boating, swimming, water skiing, and other water contact sports. Where there is suitable water, some of the people who live near the stream and some who visit the river to enjoy being near water will swim on an unorganized basis.

Hydropower

The Blackstone and Ten Mile Rivers have been used for power purposes since shortly after settlement began. Thirteen hydroelectric plants on the Blackstone River use 200 feet of the total fall of 439 feet and have a total installed capacity of 6,500 kilowatts.

VI. RECOMMENDATIONS

It is recommended:

1. That the dates proposed by the respective States in their Water Quality Standards Implementation Plans be adopted as the compliance dates for the enforcement conference.

2. That for those industries or municipalities not listed in the Water Quality Standards a series of dates be established by the conferees which will be commensurate with those for surrounding municipalities and industries.

3. That for the industry located in Rhode Island and discharging in Massachusetts, the conferees establish a schedule for this industry to tie to the Pawtucket sewerage system at the earliest possible date but no later than January 1, 1969, and that the conferee from Rhode Island specify the pretreatment, if any, required prior to the tie-in.

TABLE 1
STATUS OF WATER POLLUTION ABATEMENT PROGRAM
BLACKSTONE AND TEN MILE RIVERS

	PRESENT		STATE RECOMMENDATION IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS						CONFERENCE RECOMMENDED DATES*		
MUNICIPAL WASTES	TREAT-MENT	WATER CLASSIFI-CATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMINARY REPORT	APPROPRI-ATION OF FUNDS	ACQUISI-TION OF SITE	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Massachusetts													
Blackstone & Ten Mile Rivers													
Worcester													
Project #1	Secondary	U	Secondary	D	Complete	9/68	Own	3/70	6/70	6/72	7/66	1/69	Expansion of Plant
Project #2	-	U	-	D	-	-	-	3/72	5/72	5/73	-	-	Additional Interceptors
Auburn	None	U	Secondary	C	Complete	9/67	Own	10/68	3/69	3/70	-	-	To Tie to Worcester Sewage Treatment Plant
Millbury	None	U	Secondary	D	Complete	3/67	Own	Complete	4/68	4/69	Complete	1/69	
Grafton													
Project #1	None	D	Secondary	B	Complete	10/67	11/67	2/69	4/69	1/71	Complete	1/69	On Quinsigamond River
Project #2	-	D	Interceptor	B	-	-	-	2/70	4/70	4/72	-	-	
Northbridge	Inadequate Secondary	D	Secondary	C	-	-	-	-	-	-	Complete	1/69	Required Plant Improve.
Douglas	None	D	Secondary	B	4/68	6/68	7/68	4/69	7/69	7/70	-	-	On Mumford River
Uxbridge	None	D	Secondary	C	4/68	6/68	7/68	4/69	7/69	7/70	2/66	1/69	
Millville	None	D		C	-	-	-	-	-	-	-	1/69	Adequate individual Subsurface Disposal Required
Blackstone	None	D	Secondary	C	Complete	11/67	3/68	7/69	9/69	9/70	2/66	1/69	
Plainville	Inadeq. Indiv. Subsurface	C	Secondary	B	3/68	5/68	7/68	9/65	3/69	3/70	3/66	1/69	To Tie to N.Attleboro Sewage Treatment Plant
N.Attleboro	Secondary	C	Secondary	B	-	-	-	-	-	-	6/65	1/69	Present Treatment Considered Adequate
Attleboro	Secondary	C	Secondary	C	-	-	-	-	-	-	-	1/69	Present Treatment Considered Adequate

*Recommendations made in the Secretary's letter of April 7, 1965.

TABLE 1 (continued)

	PRESENT		STATE RECOMMENDATION IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS						CONFERENCE RECOMMENDED DATES *		
MUNICIPAL WASTES	TREAT-MENT	WATER CLASSIFIC-ATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMINARY REPORT	APPROPRI-ATION OF FUNDS	ACQUISI-TION OF SITE	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Rhode Island Blackstone River													
Woonsocket	Prim/Sec	E	Rehabilitate to Secondary	C	6/68	5/69	-	7/70	12/70	7/72	3/66	1/69	Rehabilitate to Secondary
Cumberland	Private Discharges	E	Secondary	C	-	-	-	6/67	11/67	5/69	Complete	1/69	
Manville (Lincoln)	None	E	Secondary	C	1/68	6/68	-	5/69	9/69	9/70	Complete	1/69	Tie To Blackstone Valley Sewer District
Albion (Lincoln)	None	E	Secondary	C	1/68	6/69	-	4/70	11/70	11/71	Complete	1/69	Tie To Blackstone Valley Sewer District
Lonsdale (Cumberland)	None	C	Secondary	C	-	-	-	8/67	1/68	7/69	-	-	Tie to Blackstone Valley Sewer District

*Recommendations made in Secretary's letter of April 7, 1965.

TABLE 2
STATUS OF WATER POLLUTION
ABATEMENT PROGRAM
BLACKSTONE RIVER

			PRESENT		STATE RECOMMENDATION IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS				CONFERENCE RECOMMENDED DATES*		
INDUSTRIAL WASTES	INDUSTRY	TYPE WASTE	TREAT-MENT	WATER CLASSIFI-CATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMINARY REPORT	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Massachusetts													
Millbury	Felters Co.	Textile	None	U	Pre-Treat	D	Complete	1/68	4/68	4/69	1/66	1/69	Pre-treat, Tie to Municipal
"	A.D.Windle Company	Wool Scouring	None	U	Secondary	D	3/68	9/68	10/68	10/69	1/66	1/69	Tie to Municipal, Now Discharge to Wool Shop Pond
"	W.W.Windle	"	None	U	Secondary	D	3/68	9/68	10/68	10/69	1/66	1/69	Tie to Municipal
"	N.E. High Carbon Wire	Metal	None	U	Pre-treat	D	3/68	9/68	10/68	10/69	-	-	Pre-treat, Tie to Municipal
Sutton	Snider Bros. Inc.	Meat Packing	None	D	Secondary	D	6/68	2/69	4/69	10/69	10/65	1/69	
Grafton	J.J.O'Donnell Woolen, Inc.	Textile	None	D	Pre-treat	B	4/68	2/69	4/69	4/70	1/66	1/69	On Quinsigamond, Pre-treat, Tie to Municipal
Northbridge	Kupfer Bros.	Paper Coating Printing	None	D	Pumping to Secondary	C	-	2/68	3/68	4/68	1/66	1/69	To Municipal
"	Hayward Woolen Co.	Wool dyeing Finishing										1/69	
Douglas	Hayward-Schuster Woolen Mills	Wool Dyeing Finishing	None	D	Secoddary	B	4/68	4/69	7/69	7/70	4/66	1/69	Discharge to Mumford River
Uxbridge	Stanley Woolen Co.	Wool Dyeing Finishing	None	D	Secondary	C	4/68	4/69	7/69	7/70	2/66	1/69	Tie to Municipal
"	Emile Bernat & Sons Co.	Wool Dyeing Finishing	None	D	Secondary	B	4/68	4/69	7/69	7/70	2/66	1/69	On Mumford River, Tie to Municipal

* Recommendations made in the Secretary's letter of April 7, 1965.

TABLE 2 (continued)

			PRESENT		STATE RECOMMENDATION IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS				CONFERENCE RECOMMENDED DATES *		
INDUSTRIAL WASTES	INDUSTRY	TYPE WASTE	TREATMENT	WATER CLASSIFICATION	TREATMENT	WATER CLASSIFICATION	COMPLETE PRELIMINARY REPORT	COMPLETE FINAL PLANS	START CONSTRUCTION	COMPLETE CONSTRUCTION	PRELIMINARY REPORT	PLANT OPERATION	REMARKS
Massachusetts													
Uxbridge	Waucantuck Mills	Wool Dyeing Finishing	None	D	Secondary	C	4/69	4/69	7/69	7/70	2/66	1/69	Discharge to West River, Tie to Municipal
Millville	Blackstone Wool Co.	Scouring	None	D	Equiv. To Secondary	C	6/68	6/69	9/69	9/70	9/65	1/69	
Blackstone	Blackstone Potato Chip Company	Potato Process	None	D	Pre-treat	C	-	7/69	9/69	9/70	2/66	1/69	Pre-treat, Tie to Municipal
"	W&S Laundry	Laundry Wastes	None	D	Secondary	C	-	7/69	9/69	9/70	2/66	1/69	Tie to Municipal
Rhode Island													
N.Smithfield	Industrial Park	Mixed	Secondary	D	Secondary	C	-	-	-	-	-	-	Discharges to Branch River, No Change
Forestdale (N.Smithfield)	Stamina Mills	Wool Finishing	None	D	Lagoons	C	7/67	3/68	6/68	12/69	3/66	1/69	Discharges to Branch River, Lagoons to Remove 85% BOD
Branch (N.Smithfield)	Branch River Wool	Wool Finishing	Lagoons	D	Improve Lagoons	C	10/67	3/68	6/68	12/69	3/66	1/69	Prev. Discharge to Branch R. Claim no Further Discharge Due to Evap. from Lagoons.
Woonsocket	Ten Textile Industries	Textile	None	E	Secondary	C	-	-	-	1/68	3/66	1/69	Tie to Municipal
Manville (Lincoln)	Wool Finishing Plant	Wool Finishing	Lagoon	E	Secondary	C	-	-	-	9/70	3/66	1/69	Tie to Municipal
Central Falls	Glass Mfg.	Silicates	Coagul. & Neut.	C	Coagul. & Neut.	C	-	-	-	-	-	-	No Change

* Recommendations made in Secretary's letter of April 7, 1965.

TABLE 3
STATUS OF WATER POLLUTION
ABATEMENT PROGRAM
TEN MILE RIVER

INDUSTRIAL WASTES	INDUSTRY	TYPE WASTE	PRESENT		STATE RECOMMENDATION IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS				CONFERENCE RECOMMENDED DATES *		
			TREAT-MENT	WATER CLASSIFI-CATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMIN-ARY REPORT	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Massachusetts													
Plainville	Whiting & Davis	Plating	None	C	Pre-treat	B	3/68	9/68	12/68	6/69	1/66	1/69	Pre-treat, tie to Municipal
"	Plainville Stock Co.	Plating	None	C	"	B	"	"	"	"	"	"	" "
"	A&J Tool & Finding Co.	"	None	C	"	B	"	"	"	"	"	"	" "
N.Attleboro	L.G.Balfour Corp.	Inorganic	None	C	"	B	"	"	"	"	"	"	" "
"	C.Ray Randall Mfg.Co.	"	"	C	"	B	"	"	"	"	"	"	" "
"	Oscar A. Hillman & Sons	"	"	C	"	B	"	"	"	"	"	"	" "
"	Cheever, Tweedy & Co.	"	"	C	"	B	"	"	"	"	"	"	" "
"	V.N.Blackington	"	"	C	"	B	"	"	"	"			" "
"	STD.Metals,Inc.	"	"	C	"	B	3/68	9/68	12/68	6/69	1/66	1/69	" "
"	R.Blackington & Co.	"	"	C	"	B	"	"	"	"	"	"	" "
"	L.S.Peterson Co.	"	"	C	"	B	"	"	"	"	"	"	" "
"	Plante Fontaine & Sons	"	"	C	"	B	"	"	"	"	"	"	" "
"	General Chain Co.	"	"	C	"	B	"	"	"	"	"	"	" "
"	Quaker Silver	"	"	C	"	B	"	"	"	"	"	"	" "
"	C.K.Grouse	"	"	C	"	B	"	"	"	"	"	"	" "

*Recommendations made in Secretary's letter of April 7, 1965.

TABLE 3 (Continued)

			PRESENT		STATE RECOMMENDATIONS IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS				CONFERENCE RECOMMENDED DATES *		
INDUSTRIAL WASTES	INDUSTRY	TYPE WASTE	TREAT-MENT	WATER CLASSIFI-CATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMIN-ARY REPORT	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Massachusetts													
Attleboro	Dodgeville Finishing Co.	Textile	None	D	Pre-treat	C	3/68	9/68	12/68	6/69	1/66	1/69	Pre-treat, Tie to Municipal
"	Thompson Chemical Co.	Chemical	"	D	"	C	Complete	"	"	"	"	"	" "
"	Shields, Inc.	Inorganic	"	D	"	C	"	"	"	"	"	"	" "
"	Sweet Mfg.Co.	"	"	D	"	C	"	"	"	"	"	"	" "
"	Marathon Co.	"	"	D	"	C	3/68	"	"	"	"	"	" "
"	Robbins Co.	"	"	D	"	C	"	"	"	"	"	"	" "
"	Chas. Thomas & Sons	"	"	D	"	C	"	"	"	"	"	"	" "
"	Antaya Bros.	"	"	D	"	C	"	"	"	"	"	"	" "
"	Bates & Klinke	"	"	D	"	C	"	"	"	"	"	"	" "
"	G. Ed. Cameron & Son	"	"	D	"	C	"	"	"	"	"	"	" "
"	Attleboro Electro-Plate	"	"	D	"	C	"	"	"	"	"	"	" "
"	Leavens Mfg.Co.	"	"	D	"	C	"	"	"	"	"	"	" "
"	APCO Mussberg Co.	"	"	D	"	C	"	"	"	"	"	"	" "
"	Metal & Controls Corporation	"	"	D	"	C	Complete	"	"	"	"	"	" "
"	Walton & Lonsbury	"	"	D	"	C	3/68	"	"	"	"	"	" "
"	Mossberg Pressed Steel	"	"	D	"	C	"	"	"	"	"	"	" "
Attleboro	Mt.Vernon Silver	"	"	D	"	C	3/68	9/68	12/68	6/69	1/66	1/69	Pre-treat, Tie to Municipal
"	R.F.Simmon Co.	"	"	D	"	C	"	"	"	"	"	"	" "
"	Ripley &Gowan	"	"	D	"	C	"	"	"	"	"	"	" "

*Recommendations made in Secretary's letter of April 7, 1965.

TABLE 3 (continued)

			PRESENT		STATE RECOMMENDATIONS IN WATER QUALITY STANDARDS		TIME SCHEDULE IN WATER QUALITY STANDARDS				CONFERENCE RECOMMENDED DATES *		
INDUSTRIAL WASTES	INDUSTRY	TYPE WASTE	TREAT-MENT	WATER CLASSIFI-CATION	TREAT-MENT	WATER CLASSIFI-CATION	COMPLETE PRELIMIN-ARY REPORT	COMPLETE FINAL PLANS	START CONSTRUC-TION	COMPLETE CONSTRUC-TION	PRELIMIN-ARY REPORT	PLANT OPERA-TION	REMARKS
Massachusetts													
Attleboro	L.G.Balfour Commercial Co.	Inorganic	None	D	Pre-treat	C	3/68	9/68	12/68	6/69	1/66	1/69	Pre-treat,Tie to Municipal
"	Swank, Inc.	"	"	D	"	C	"	"	"	"	"	"	" "
Seekonk	Attleboro Dyeing & Fin. Company	Textile	Lagoons	D	To be Determined	C	-	-	-	-	1/66	1/69	
Rhode Island													
Pawtucket	Pawtucket Dyeing & Bleaching Co.	Textile	None	E	Secondary	C	-	-	-	-	3/66	1/69	Plant in Rhode Island Discharge in Massachusetts

*Recommendations made in Secretary's letter of April 7, 1965.

the States have enacted new legislation and have been given greater authority particularly enforcement authority. Also insofar as the Blackstone River in Massachusetts a new regulatory agency has been established and I think you will find that because of this legislation that there wil be an acceleration in appropriate enforcement measures at State level.

With regards to paragraph 12 on page---

MR. STEIN: Let's do this for the purpose of the record one at a time. I think Mr. Peloquin--and you can check this--that was from just the summary of the first conference, and I understand that all the parties to the conference including the representatives of your Commissioner and representatives of both States agreed to it and there was no dissent. At this point, paragraph 5 agrees with paragraph 5 of the first session of the conference that was developed January 26, 1965, and, as far as I know, there was no disagreement at the time, no disagreement afterwards, that this wasn't an accurate report and this is just a restatement of the statement that the conferees made in 1965.

MR. PELOQUIN: I agree it is a restatement, Mr. Chariman, but I think the record should show that the situation has changed where we have a new agency involved and we have also new legislation involved.

MR. STEIN: I agree. You know this is 1968, and I hope we have changed since that time. If we haven't we have been falling down on the job.

MR. SHEA: I would like to add a word at this point. These quotes are from a report of the Federal Government, and I can't say that at anytime as a conferee did I agree to all these conclusions. The fact is it was a report published by the Federal Government without even consulting us beyond the conference.

So to say that all these things were agreed to I think is an exaggeration of the facts.

MR. STEIN: Well, again----

MR. SHEA: I am not saying I disagree with all these things but neither was there any agreement reached.

MR. STEIN: Well, Mr. Shea, what was being quoted by Mr. Gozzo was the summary of the conference, which is the best we could do to give a reportorial indication of what happened at the conference. Paragraph 5 indicates that the conferees agreed and he pointed out several points where each of the conferees made their own statements and paragraph 5 indicates agreement. Now, as far as I know, this was made at the time that the conference was held in 1965, and this was read into the record at the conclusion of the conference. I think the record will show that there has been no objection when it was sent out afterwards. It seems to me that the record can speak for itself on that.

MR. SHEA: I agree with you that the record speaks for itself, but the facts of the case are that this was a Government report and not anything that anybody agreed to by vote or anything of that kind. As a matter of fact, I wasn't going to bother bringing it up, but if you will look in the transcript of the last conference--and we were furnished a copy of it--at one point when we were arguing to set some distance in the future for completion, it was stated that some of the facilities might entail delays, unnecessary delays, and it says here that we agreed to report every six months. As a matter of fact, the only thing I agreed to was to give you a six-month report and not every six months, and we have done this, as a matter of fact; so surely this doesn't reflect what transpired at the conference.

MR. YASI: I think what caused this immediate discussion was just perhaps a misunderstanding of what Mr. Peloquin said. I don't believe he was raising questions about item 5, but rather was stating something for the record. I believe I am quoting him verbatim---that there had been a number of changes in legislation and certainly in the money appropriations; and I believe he was just making a statement for the record. Am I not correct, Mr. Peloquin?

MR. PELOQUIN: That is correct, Mr. Yasi.

MR. STEIN: May we continue?

MR. PELOQUIN: There is one point that I would like to clarify.

MR. STEIN: What I understood the whole purpose of the conference was to indicate---obviously, and I think there is complete agreement on this, the reason we are here now in 1968, is that we know there have been significant changes since 1965, of course.

MR. PELOQUIN: I would like to clarify page 4, paragraph 12, on the periodic reports. The copy which I have here contains a handwritten statement that the States have fulfilled by providing periodic oral reports, and written reports were submitted to my knowledge at least as of December 31, 1966. Subsequent to that date, I have no knowledge of the reports. It is entirely probable then that the reports were oral, but up to December 31, 1966, the reports were compiled by the Regional Office, with the cooperation of the two States concerned, and these reports were periodically submitted to the Administration in Washington. Those are the only comments that I have at this time.

MR. STEIN: Yes, I think that is a fair statement. As I read this as it stands and I am quoting, "The conferees agree to prepare a report."

Now the question is, as I have seen this, we have gotten written reports in six-month intervals and this has been prepared by usually the Regional Office of the Federal Water Pollution Control Administration speaking for the conferees. So I don't know, maybe the handwritten statement had something to do with it, but I don't know that this requirement has not been met or anyone is saying that all parties haven't been fully advised as to the situation. Have we any other comments?

MR. KLASHMAN: Mr. Gozzo, in your recommendation No. 3 you mentioned an industrial concern in Rhode Island, what is the name of that industry?

MR. GOZZO: Pawtucket Dyeing and Bleaching Company, located in Rhode Island, and discharging wastes into Massachusetts.

MR. STEIN: Are there any other comments or questions? I have one for clarification, really. Go to Table 1, in the back and on page 2, of that table you deal with Woonsocket and you had "rehabilitation to secondary" and it is changed in ink to "rehabilitation of secondary." What is the significance of that?

MR. GOZZO: I will refer this to the Rhode Island conferee in just a moment. But if you will notice in the treatment column, the plant in Woonsocket is both a primary and a secondary treatment plant; in other words, a portion of the waste receives secondary treatment and a larger portion of it receives only primary treatment. Our original notation where we understood the Water Quality Standards submitted by Rhode Island was that the entire plant was going to rehabilitate to secondary. However, this correction is made at the request of the Rhode Island conferee as being in error, so let me refer this to the Rhode Island conferee for a more detailed answer.

MR. SHEA: The point of it is, when the conference was underway three years ago, the City of Woonsocket had already embarked on the reconstruction of its primary treatment facilities, so that the last two or three years the primary part of the plant is more than adequate to meet all its needs. The secondary aspect of the plant, however, due to bonding problems in Woonsocket, it became necessary to live with the secondary treatment which wasn't adequate to give secondary treatment to all the wastes that had received primary treatment, so that we thought the way this was listed it might be misunderstood. The facts of the case are that there is need to expand the secondary treatment aspect to treat all the waste and the plan is to have that done.

MR. GOZZO: Do I understand you to say "for complete secondary?"

MR. SHEA: Rehabilitate the secondary but not the primary. The primary has already been done.

MR. STEIN: Let me ask the question: When the work is completed, will all the wastes receive secondary treatment?

MR. SHEA: Yes.

MR. GOZZO: Fine.

MR. STEIN: I should make this clear: We cannot, unless we all intend to stay here---and you know we have loved Providence for a long time---but we cannot open this to an open meeting. In other words, the only ones who can make comments or statements at this time will be the conferees. However, anyone who wants to speak will be given an opportunity to be heard later. You can reserve your questions and make your statement at that time. The reason that we follow this procedure and have the governmental units first is so that the people in the audience at the time they get up have had the benefit of the statements that we make first and can have an opportunity for any rebuttal. It gives them a chance to see if they have any differences with that. So just hold whatever you have. If you are from Rhode Island, get in touch with Mr. Shea; if you are from Massachusetts, well, get in touch with Mr. Yasi--I am sure they will accommodate you on the program. But we cannot ask for participation from the floor at this time. Are there any other statements?

MR. KLASHMAN: Mr. Shea, may I just get clear in my own mind one point? According to the schedule which you submitted with your Standards for Woonsocket, all the wastes in Woonsocket are scheduled to be treated by secondary treatment by July of 1972?

MR. SHEA: That is right.

MR. KLASHMAN: Thank you very much.

MR. STEIN: Thank you, Mr. Gozzo.

MR. KLASHMAN: Thank you very much, Mr. Gozzo. I would like to call on Mark Abelson, Regional Coordinator, United States Department of the Interior, Boston. Mr. Abelson.

STATEMENT OF MARK ABELSON, NORTHEAST REGIONAL COORDINATOR, U. S. DEPARTMENT OF THE INTERIOR, BOSTON, MASSACHUSETTS

MR. ABELSON: Mr. Stein, conferees, ladies and gentlemen, I am Mark Abelson, Regional Coordinator, Northeast Region, United States Department of the Interior of which the Federal Water Pollution Control Administration is one of our Bureaus, one of about 36.

Generally, at the first session of such conferences on pollution we try to show the Department of the Interior overall responsibility in water. Since this is not the first session but the second, and since we did not appear at the first one, I would like to enter into the record this statement. I shall not attempt to read it because of what has gone on this morning, and all that is a little bit beyond the realm of my statement. So if the conferees agree, I should just like to put my statement into the record at this time.

MR. STEIN: Without objection this will be entered into the record as if read.

MR. YASI: We are always happy to hear from Mr. Abelson.

STATEMENT BY MR. MARK ABELSON:

I am Mark Abelson, Regional Coordinator for the Northeast Region, United States Department of the Interior.

The Department of the Interior is the Nation's primary agency charged with the responsibility for a wide variety of programs for the management, conservation and development of the natural resources benefiting every section of the Nation. For this reason, Interior can best be described as the "Department of Natural Resources."

The Department is made up of some two dozen Bureaus and offices whose functions and responsibilities cover the entire range of natural and human resources. In the Northeast, coordination of these functions and responsibilities is accomplished through my office in Boston.

In carrying out our vital responsibilities for sound management of natural resources, the Department encourages efficient resources use; works to assure that a sound resource base is provided to meet the needs of our expanding economy and our national security; promotes an equitable distribution of benefits from nationally-owned resources; and seeks to prevent wasteful exploitation of resources.

Mark Abelson

The Department has a definite interest in all waters of the country and in the entire pollution problem.

Water and its associated opportunities and problems ignores State, Regional and international boundaries. It's necessary that these interrelationships of water be so recognized and that the efforts of all concerned plan for the best use of this valuable resource.

The focus of Interior efforts is directed to the maintenance of adequate water supplies and adequate water quality for whatever uses man may wish to make of this resource. The Department's approach emphasizes the coordination and interrelationship between uses and the effect of these uses on management and the quality of the total water supply system. We hope we can keep the country as an affluent not an effluent society.

Maintenance of water quality involves not only the quality levels of human consumption, but also quality levels for consumption by other animal and plant life for development of other natural resources and for industrial processes. These quality considerations are interrelated. They can be understood and controlled best from the point of view of water as a resource, rather than of a particular quality need.

Interior Bureaus, in addition to the Federal Water Pollution Control Administration, carry on water quality studies related to the physical, chemical and biological adequacy of our water resources. These studies and the associated research are chiefly those in which the skills and required knowledge are based on geology, chemistry, hydology, engineering and other physical science aspects of water management. Interior water quality research extends beyond water supply to the study of environments adequate for the propagation, production and control of both fish and wildlife resources and for water-based recreation.

In conclusion, I would like to say that we urge that steps be taken to eliminate from the Blackstone River Basin those domestic and industrial pollutants which detract from the full public enjoyment of the aquatic resources of these areas, and of Narragansett Bay.

Statements will be presented here today by representatives of three of our Bureaus which have varying responsibilities in the Region under consideration: the Bureau of Sport Fisheries and Wildlife, the Bureau of Commercial Fisheries and the Bureau of Outdoor Recreation. Thank you.

MR. KLASHMAN: Are there any other representatives of Federal agencies here who wish to make a statement? Will you please come forward, sir.

MR. SHRIDER: My name is Thomas Shrider and I am with the Bureau of Sport Fisheries and Wildlife in the Boston Regional Office. I am here to present a statement that had been intended to be presented by Mr. Richard E. Griffith, Director of the Northeast Region of the Bureau of Sport Fisheries and Wildlife, who unfortunately was unable to be present today and asked me to substitute for him.

STATEMENT OF RICHARD E. GRIFFITH, REGIONAL DIRECTOR, BUREAU OF SPORT FISHERIES AND WILDLIFE, U. S. DEPARTMENT OF THE INTERIOR, BOSTON, MASSACHUSETTS, READ BY MR. THOMAS SHRIDER

"We are pleased to have the opportunity to speak at this conference. The prospect of restoring the water quality of the Blackstone River and its tributaries is brighter now than it has been in many years. Throughout the Nation people are saying, 'Let's do something about pollution.' We agree that now is the time to coordinate and intensify realistic and effective pollution abatement programs.

Richard E. Griffith

"Expanding populations demand that we make full use of our natural resources. Pollution deprives us of the opportunity for multiple use of our streams, lakes and estuaries. This fact is becoming recognized by more people every year and corrective measures are being demanded by broad segments of the public. Recreational needs are increasing even faster than our population. This is particularly noticeable in the Blackstone Basin where the tide of urban expansion has virtually submerged traditional recreational areas. Fishing and hunting opportunities have been reduced to the point where we must manage each lake and stream to its maximum potential for production of fish and aquatic wildlife if we are to meet future human demands for hunting, fishing and other recreational uses associated with these resources.

"Future demands can be shown by comparing the surface acres of fresh water now available to each person with what may be expected in years to come. According to the Outdoor Recreation Resources Review Commission Report 'Sport Fishing Today and Tomorrow,' the area available to each resident in Massachusetts and Rhode Island in 1960 will be reduced by at least one-third by the year 2000. Moreover, it is expected that by the year 2000 there will be three fishermen for every one in 1960.

"Proper control of pollution would allow full development of the fish and wildlife potential of many of our streams. By the year 2000 we expect approximately 3,000,000 of the projected New England population of 17,000,000 people will fish. We will be hard pressed to provide fishing opportunity for these people. Cleanup of the polluted area would provide many thousands of man-days use for fishing. It would also help to more evenly distribute fishing pressure on the available waters.

"The potential of the Blackstone Basin for satisfying recreational demands is exceptionally large.

Richard E. Griffith

Based on data presented in the ORRC report, it is estimated that the main stem Blackstone and Ten Mile Rivers could support at least 200,000 man-days of fishing by the year 2000. In addition, these streams could provide several thousand man-days of hunting each year.

"The Blackstone is the largest and most northerly of the interior watersheds of the Narragansett Bay basins. It lies within easy reach of highly populated urban areas and has a total length of 49 miles and a drainage of 540 square miles. It has its origin in Worcester, Massachusetts, and flows generally southeast to empty into Narragansett Bay at Providence, Rhode Island. The river is navigable and tidal for 4.7 miles below the dam at the highway bridge on U.S. Route 1, Pawtucket. A series of relatively short tributaries which include the Quinsigamond, Mumford, West Branch, Mill and Ten Mile Rivers enter the Blackstone along its source. The entire main stem of the River is polluted from municipal and industrial wastes. Many of the tributaries are also seriously affected by pollution.

"The existing stream fisheries of the Blackstone Basin, both cold and warm water, are severely limited by poor water quality. The various lakes and ponds throughout the basin support largemouth bass, smallmouth bass, chain pickerel, brown bullhead, yellow perch and white perch. Wallum Lake, near Douglas, Massachusetts, has been reclaimed and provides suitable habitat for trout. Public lake fishing is maintained in several lakes and ponds within the Blackstone Basin.

"Most of the waters of the Blackstone Basin are capable of supporting warm-water species important to fishermen, although streams such as the West River and Ten Mile River support trout and are stocked annually by the State.

Richard E. Griffith

"Oyster beds on the tidal flats at the mouth of the Blackstone River below Pawtucket supported substantial oyster harvests during the early 1900's. This area has long been closed to shellfish harvest because of pollution.

"The Bureau of Sport Fisheries and Wildlife and the Bureau of Comercial Fisheries are vitally concerned with the various aspects of fish and wildlife conservation and development with the Blackstone Basin. Our concern reflects both the specific and general interest of the Congress in the conservation of the Nation's fish and wildlife resources. The general policy of the Federal Government is expressed in these words quoted from the Fish and Wildlife Act of 1956, 'The Congress hereby declares that the fish, shellfish and wildlife resources of the Nation make a material contribution to our Nation's economy and food supply, as well as a material contribution to the health, recreation and well being of our citizens; that such resources are living renewable form of national wealth that is capable of being maintained and greatly increased with proper management; but equally capable of destruction if neglected or unwisely exploited; that such resources afford outdoor recreation throughout the Nation and provide employment, directly or indirectly, to a substantial number of citizens.'

"In common with other agencies of the Department of the Interior, we believe the use of streams for waste disposal is a single-purpose use we can no longer afford; and we welcome an opportunity to cooperate with any effort aimed at the restoration of New England Rivers."

MR. KLASHMAN: Thank you. You want to wait a minute?

MR. STEIN: Are there any comments or questions? If not, thank you very much, sir. Mr. Klashman.

MR. KLASHMAN: Are there any other Federal agencies here who wish to be heard?

(No response.)

VOICE: Why don't you wait until the States appear?

MR. STEIN: Again, sir, if we are going to deviate we will have to do it for everbody, and again, I ask you to bear with us on the procedure We have been through hundreds of these before and I recognize that your statement from the floor very well may be appropriate at this particular time, but, in dealing with the situation here, we have to administer this in an even, orderly way. If we afford the privilege to one, there is no way that I know of that we can refuse this privilege to all. Therefore, if you will just hold it until the States appear, they will manage their time. We have found by this procedure we are able to get all the views in and complete this much earlier. Mr. Klashman?

MR. KLASHMAN: That completes the Federal presentation.

MR. STEIN: Mr. Peloquin, for the Interstate agency.

STATEMENT OF ALFRED E. PELOQUIN, EXECUTIVE SECRETARY
NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL
ADMINISTRATION, BOSTON, MASSACHUSETTS

MR. PELOQUIN: Mr. Chairman, I have no prepared statement this morning, but I would like to make a couple of comments.

First of all, I think that the rules of this conference should indicate the changes which have recently been made to the interstate classifications and particularly as it pertained to Class C and Class D waters.

Your note, footnote in the Summary of the first conference, indicated such a change and for the record I would like to state that the Class C waters as now approved and adopted by the Commission, April 18, 1967, reads as follows: "Class C is suitable for fishing and wildlife habitat, recreational boating and industrial processes and cooling and under some conditions acceptable for public water supply with appropriate treatment, good aesthetic value. Class D waters now provides suitable water for navigation, power, certain industrial processes and cooling, and migration of fish, and also good aesthetic value."

MR. STEIN: Mr. Peloquin, would you want to put that chart in the record, so we can publish it? I think it might be useful so people can get the complete picture.

MR. PELOQUIN: I would be very happy to.

MR. STEIN: This will appear, without objection, in the record as if read. (the above-mentioned policy and chart follows.)

MR. PELOQUIN: I have one question with regard to classification. As you may know or be aware,the Federal Water Pollution Control Administration is requesting or recommending certain changes to classifications which have been approved within the past months, and I would like to question whether or not such changes if concurred in by the Commission will require future sessions of these conferences?

MR. STEIN: Mr. Klashman, will you answer that question? I would like you to repeat it, Mr. Peloquin.

MR. PELOQUIN: The Federal Water Pollution Control Administration recommended certain changes to the classifications which the New England Interstate Water Pollution Control Administration has adopted and also which the States have adopted. If these changes made are concurred in by the Commission will this require future conferences or future sessions of this conference to resolve any differences?

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

GENERAL POLICY, CLASSIFICATION AND STANDARDS OF QUALITY FOR INTERSTATE WATERS

GENERAL POLICY

1 The New England Interstate Water Pollution Control Commission acting in accordance with Article V of the Compact has reviewed and revised the " Classification and Criteria of Quality for Interstate Waters " in order to assist the States in the administration of more effective and expeditious water pollution control programs in the New England Compact area.

2 In the classification of waters due consideration will be given to all factors involved including public health, public enjoyment, propagation and protection of fish and wild life, and economic and social development. Classifications are not intended to permit indiscriminate waste disposal or to allow minimum efforts of waste treatment under any circumstances.

3 Water quality control problems not specifically referred to in this document shall be evaluated on a case by case basis by the affected States water pollution control agencies and departments of health.

4 Appropriate treatment shall be defined as secondary treatment with disinfection or its industrial waste equivalent as determined by the signatory State regulatory agency. Lesser degrees of treatment or control will be permitted only where it can be demonstrated that attainment of the specific water use class criteria of quality can be effectuated.

5 In the discharge of waste treatment plant effluents to the receiving waters, cognizance shall be given both in time and distance to allow for mixing of effluent and stream. Such distances required for complete mixing shall not affect the water usage Class adopted but shall be defined and controlled by the regulatory authority.

6 Recommendations on other waste parameters will constitute a portion of the continuing effort of the Commission in assisting the States in solving interstate water quality problems. The Commission reserves the right to amend or extend the following recommendations as improved standard methods are developed or revisions consistent with the enhancement of water quality are justified.

TECHNICAL GUIDELINES

1 These Standards do not apply to conditions brought about by natural causes.

2 All sewage treatment plant effluents shall receive disinfection before discharge to the watercourse and or coastal and marine waters. The degree of treatment and disinfection shall be as required by the State pollution control agency.

3 The minimum average daily flow for seven consecutive days that can be expected to occur once in ten years shall be the minimum flow to which the standards apply.

4 Class B and C waters and marine waters shall be substantially free of pollutants that:

a) Unduly affect the composition of bottom fauna,
b) Unduly affect the physical or chemical nature of the bottom,
c) Interfere with the propagation of fish.

5 Class D and SD (marine) waters will be assigned only where a higher water use Class cannot be attained after all appropriate waste treatment methods are utilized.

6 Any water falling below the standards of quality for a given Class shall be considered unsatisfactory for the uses indicated for that Class. Waters falling below the standards of quality for Class D, or SD (marine), shall be Class E, or SE (marine), respectively and considered to be in a nuisance condition.

7 Radioactivity limits to be approved by the appropriate State agency with consideration of possible adverse effects in downstream waters from discharge of radioactive wastes: limits in a particular watershed to be resolved when necessary after consultation between States involved.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

CLASSIFICATION AND STANDARDS OF QUALITY FOR INTERSTATE WATERS

(As Revised and Adopted April 18, 1967)

WATER USE CLASSES	DESCRIPTION	STANDARDS OF WATER QUALITY						
		DISSOLVED OXYGEN	Sludge deposits-solid refuse-floating solids, oils, and grease - scum	COLOR AND TURBIDITY	COLIFORM BACTERIA per 100 ml	TASTE AND ODOR	pH	ALLOWABLE TEMPERATURE INCREASE
CLASS A	Suitable for water supply and all other water uses; character uniformly excellent. (See Note 1)	75% saturation, 16 hours/day 5 mg/1 at any time.	None allowable	None other than of natural origin	Not to exceed a median of 100 per 100 ml nor more than 500 in more than 10% of samples collected	None other than of natural origin	As naturally occurs	None other than of natural origin
CLASS B	Suitable for bathing, other recreational purposes, agricultural uses; industrial processes and cooling; excellent fish and wild life habitat; good aesthetic value; acceptable for public water supply with appropriate treatment.	75% saturation 16 hours/day 5 mg/1 at any time	None allowable	None in such concentrations that would impair any usages specifically assigned to this Class	Not to exceed a median of 1,000 per ml nor more than 2,400 in more than 20% of samples collected	None in such concentrations that would impair any usages specifically assigned to this Class nor cause taste and odor in edible fish	6.5 - 8.0	Only such increases that will not impair any usages specifically assigned to this Class (See Note 2)
CLASS C	Suitable for fish and wild life habitat; recreational boating, and industrial processes and cooling; **under some conditions acceptable for public water supply with appropriate treatment**; good aesthetic value.	5 mg/1, 16 hours/day; not less than 3 mg/1 at any time. For cold water fishery not less than 5 mg/1 at any time.	None (See Note 3)	None in such concentrations that would impair any usages specifically assigned to this Class	None in such concentrations that would impair any usages specifically assigned to this Class	None in such concentrations that would impair any usages specifically assigned to this Class nor cause taste and odor in edible fish	6.0 - 8.5	Only such increases that will not impair any usages specifically assigned to this Class (See Note 2)
CLASS D	Suitable for navigation, power, certain industrial processes and cooling, and migration of fish; good aesthetic value.	A minimum of 2 mg/1 at any time.	None (See Note 3)	None in such concentrations that would impair any usages specifically assigned to this Class	None in such concentrations that would impair any usages specifically assigned to this Class	None in such concentrations that would impair any usages specifically assigned to this Class	6.0 - 9.0	None except where the increase will not exceed the recommended limits on the most sensitive water use and in no case exceed 90 degree F

NOTES

1. Class A waters reserved for water supply may be subject to restricted use by State and local regulation.

2. The temperature increase shall not raise the temperature of the receiving waters above 68°F for waters supporting cold water fisheries and 83 F for waters supporting a warm water fishery. In no case shall the temperature of the receiving water be raised more than 4°F.

3. Sludge deposits, floating solids, oils, grease and scum shall not be allowed except for such small amounts that may result from the discharge of appropriately treated sewage or industrial waste effluents.

4. Waters shall be free from chemical constituents in concentrations or combinations which would be harmful to human, animal, or aquatic life for the appropriate, most sensitive and governing water class use. In areas where fisheries are the governing considerations and approved limits have not been established, bioassays shall be performed as required by the appropriate agencies. For public drinking water supplies the limits prescribed by the United States Public Health Service may be used where not superseded by more stringent signatory State requirements.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION
CLASSIFICATION AND STANDARDS OF QUALITY FOR COASTAL AND MARINE WATERS
(As Revised and Adopted April 18, 1967)

		STANDARDS OF WATER QUALITY						
WATER USE CLASSES	DESCRIPTION	DISSOLVED OXYGEN	Sludge deposits - solid refuse - floating solids - oil - grease - scum	COLOR AND TURBIDITY	COLIFORM BACTERIA per 100 ml	TASTE AND ODOR	pH	
CLASS SA	Suitable for all sea water uses including shellfish harvesting for direct human consumption, (approved shellfish areas) bathing, and other water contact sports.	Not less than 6.0 mg/l at any time	None allowable	None in such concentrations that would impair any usages specifically assigned to this class	Not to exceed a median MPN of 70 and not more than 10% of the samples shall ordinarily exceed an MPN of 230 for a 5 - tube decimal dilution or 330 for a 3 - tube decimal dilution (See Note S.1)	None allowable	6.8 - 8.5	Allowable Temperature Increase (Note 2) Chemical Constituents (Note 3) Radioactivity (Note 4)
CLASS SB	Suitable for bathing, other recreational purposes, industrial cooling and shellfish harvesting for human consumption after depuration; excellent fish and wild life habitat; good aesthetic value.	Not less than 5.0 mg/l at any time	None allowable	None in such concentrations that would impair any usages specifically assigned to this class	Not to exceed a median value of 700 and not more than 2,300 in more than 10% of the samples (See Note S.1)	None in such concentrations that would impair any usages specifically assigned to this class and none that would cause taste and odor in edible fish or shellfish	6.8 - 8.5	
CLASS SC	Suitable fish, shellfish and wild life habitat; suitable for recreational boating, and industrial cooling; good aesthetic value.	Not less than 5 mg/l during at least 16 hours of any 24 hour period nor less than 3 mg/l at any time	None except that amount that may result from the discharge from a waste treatment facility providing appropriate treatment	None in such concentrations that would impair any usages specifically assigned to this class	None in such concentrations that would impair any usages specifically assigned to this class	None in such concentrations that would impair any usages specifically assigned to this class and none that would cause taste and odor in edible fish or shellfish	6.5 - 8.5	
CLASS SD	Suitable for navigation, power, and certain industrial cooling water; migration of fish; good aesthetic value.	Not less than 2 mg/l at any time	None except that amount that may result from the discharge from a waste treatment facility providing appropriate treatment	None in such concentrations that would impair any usages specifically assigned to this class	None in such concentrations that would impair any usages specifically assigned to this class	None in such concentrations that would impair any usages specifically assigned to this class and none that would cause taste and odor in edible fish or shellfish	6.5 - 8.5	

NOTES

S.1 Surveys to determine coliform concentrations shall include those areas most probably exposed to fecal contamination during the most unfavorable hydrographic and pollution conditions.

S.2 None except where the increase will not exceed the recommended limits on the most sensitive water use.

S.3 None in such concentrations or combinations which would be harmful to human, animal, or aquatic life or which would make the waters unsafe or unsuitable for fish or shellfish or their propagation, impair the palatability of same, or impair the water for any other usage.

S.4 The discharge of radioactive materials in concentrations or combinations which would be harmful to human, animal or aquatic life shall not be allowed.

S.5 Coastal and marine waters are those generally subject to the rise and fall of the tide.

S.6 The standards shall apply at all times in coastal and marine waters.

MR. KLASHMAN: I don't know, Mr. Peloquin. If the issue that you are raising is tied up with the Secretary of the Interior and it now appears to me that if there are changes---

MR. STEIN: I am not sure that the record is clear on the question. When you talk about certain changes, I am not sure I understand, let alone anyone else, and I am not raising a point on the answer because I am sure I don't know what it is. For the record why don't we clarify what you are really talking about?

MR. KLASHMAN: May I state what I understand your question to be? I understand that what you are saying is that the New England Interstate standards, the criteria for supporting certain water uses, differ in some respects from those that the States are proposing.

MR. PELOQUIN: No, they differ in some respects from the standards which were in existence at the time of the initial conference of 1965. This is one reason for making the changes here; this is one of the purposes of this conference, I assume, to reconcile these differences.

MR. STEIN: Maybe I can get that. Now, here if they differ we can ink those in here if you are all in agreement with the changes.

MR. KLASHMAN: But the issue is this: The Secretary has already accepted the standards on the Blackstone for the State of Massachusetts and in so doing he accepted some criteria which differ from the criteria which you have had in 1965. In our report we have been talking about these criteria, these revised criteria. In the case of Rhode Island, Rhode Island, too, has submitted criteria, but in the case of the Blackstone River the Secretary did not accept these. I would assume that before we are finished today, after Rhode Island makes its presentation, that we will accept these. Now, after we have accepted them they will be submitted to the Secretary. As I understand it, if he accepts our recommendation, then these will become the criteria for the Blackstone. The question you raise is whether it will be necessary to have further conferences on these and I don't think it will be necessary unless for some reason there are adjustments in the criteria.

MR. PELOQUIN: Well, the point of issue is that the FWPCA recommends changes in the criteria which is now in existence. This will be considered by the New England Interstate Commission and in the event that the Commission does agree to certain changes in the criteria subsequent to the conclusion of this session will additional sessions be necessary to resolve these differences?

MR. STEIN: Well, I may be wrong on this---and I want you both to listen to me---I think that the difference you are talking about is more or less a technical one. It doesn't seem to me there is any substantial argument on the criteria on the new changes. They are improving water quality generally. Are there any substantial differences?

MR. KLASHMEN: Yes.

MR. STEIN: There are?

MR. KLASHMAN: I would say there are and Mr. Peloquin can speak to this, but there are some differences.

MR. STEIN: Well, I suspect---and let me try to answer as best I can---if there are techincal differences and we are all agreeing in substance, I don't see any point in having a conference like this or any other kind of operation just to deal with something that we can handle by telephone, i.e., for techincal differences. However, if there are substantial differences, then, of course, there just has to be some kind of forum. We also have the standard operation. But it seems to me where there is substantial differences in either water quality or a time schedule, there is going to have to be some mechanism that the States, the Interstate agency and the Federal Government get together. I hope we will take the opportunity here to resolve as many of these substantial differences as we can and come up with a recommendation. If the Secretary adopts these, you certainly do not need to have another meeting or even to get together just for something that requires a ratification. We can do that over the telephone. That is not my idea of progress or a way to usefully spend your time. But from what you and Mr. Klashman have said, there is a little open area here. Whether it is a substantial difference or not, I don't know. Maybe this should surface and we should get the specifics. To tell you fellows both the truth, I don't even know what the issue is.

MR. KLASHMAN: The issue that Mr. Peloquin is raising is:

If he takes the criteria, which comes out of this conference, and he goes to his Commission to get the standards for all of New England changed, will he then be assured that will be it and there won't be any further changes? I don't think that anybody can give him that type of assurance.

MR. STEIN: I will say it is a very good question. If we can come up with an agreement, I think we will take this back to the Secretary. I think if this is the kind of thing with which we are confronted here, it would be useful if the Secretary approves these. We can suggest a letter from the Secretary that will accommodate you as much as possible and try to give you whatever assurance he can. In other words, I look at this as an opportunity which results from this kind of a conference which creates an environment of being flexible and in which we try to get this agreement. In other words, you will have a very good reading from the Secretary as to whether you are going to get his assurance or not going to get his assurance or how far he can go. My best guess for that, in my experience in the past, if we can reach unanimity on the substantive provisions, the Secretary generally goes along with this. You may be assured that when I get back, I will try to have the Secretary answer your question as definitely as possible and put these in a letter to you when he transmits the results of this conference. This may help with the meeting and certainly give your Commission, when it meets, an opportunity to know where the Secretary stands.

MR. PELOQUIN: Thank you very much, Mr. Chairman. Mr. Klashman?

MR. KLASHMAN: I have no further question of Mr. Peloquin.

MR. PELOQUIN: I have one or two more comments. From the text of Senator Kennedy's letter, he indicated the need to firm up compliance and time schedules. For the record, I would like to state that such dates have been established and have also been established in preparing implementation plans which were submitted to the Federal Water Pollution Control Administration as of January 30, 1968. The Secretary's approval, I think, enables him to revise schedules, and,in approving the Massachusetts standards, I think he in fact has recognized the slippage and the approval has in fact approved the revised dates. As far as the recommendations of 2, and 3, I believe each of the two States involved will have appropriate comments on those two points.

MR. STEIN: Thank you, Mr. Peloquin. Are there any other comments or questions and if not thank you very much.

MR. KLASHMAN: Mr. Chairman, before you call the next State I wonder if it would be possible to ask Mr. Shrider to come back for a couple of questions?

MR. STEIN: Yes, surely.

MR. KLASHMAN: Mr. Shrider would you come back please? I wonder if I may ask you a couple of questions? I didn't have a copy of Mr. Griffith's statement when you were giving it and I have a couple of things now about which I would like to ask you. When you were talking about the potential of the Blackstone River and when and if the pollution is cleared up, were you talking about both Massachusetts and Rhode Island?

MR. SHRIDER: Oh, yes, the potential is high in both States. There are somewhat different problems such as fisheries. I think that the upper reaches of the river would be more suitable for cold-water-fish management, but the lower reaches would provide excellent warm-water fishing. Probably there is more warm-water potential in the lower part of the river, but there is a high potential in both States.

MR. KLASHMAN: I understand that there is a dam on the Blackstone which prevents the run of fish, and I also understand that your Bureau has a program nationally for reestablishing these types of runs when the pollution is cleaned up. Do you have any thoughts at all on this for the Blackstone?

MR. SHRIDER: In our statement we addressed ourselves to the resident fish population. The non-anadromous varieties will or can be improved with the pollution's being cleaned up. Now, it is true that the Congress three years ago enacted an Adandromous Fish Act which provides funds on a matching basis for restoring anadromous-fish runs in the Great Lakes. The Act provides that the States will initiate projects under this Act to carry out restoration activities and we provide matching money on a 50-50 basis for these programs. We think there is a high potential on most of the coastal streams of New England for anadromous fishing, but it would require such things as the elimination of barriers or the laddering of barriers which cannot be eliminated. This program, of course, would require the improvement of water quality to be successful. At present, the State of Rhode Island has not exhibited any interest in an anadromous-fish restoration project on the Blackstone River because in addition to the barrier the water is so polluted that the fish would not survive in the streams. If we did carry out such a program, however, I would anticipate that if the water quality is improved the shad at least could be restored in the Blackstone and perhaps other species. I don't know what Mr. Cronan, who asked to be heard, had in mind discussing. But if he does get permitted to make a statement at some later date you might ask him. He is a fishery biologist from Rhode Island.

MR. KLASHMAN: The main question I want to get clarified is that if there is a potential for anadromous fish population and if this pollution is cleaned up, as far as the dam is concerned, you don't consider this a barrier because fish ladders can be provided?

MR. SHRIDER: That is right.

MR. KLASHMAN: Thank you,very much.

MR. STEIN: Are there any further question? All right. We will now call on Mr. McMahon.

STATEMENT OF THOMAS C. McMAHON, DIRECTOR, DIVISION OF WATER POLLUTION CONTROL MASSACHUSETTS DEPARTMENT OF NATURAL RESOURCES, BOSTON, MASSACHUSETTS

Thomas C. McMahon

MR. McMAHON: Mr. Chairman, ladies and gentlemen, my name is Thomas C. McMahon, Director of Water Pollution Control, under the Massachusetts Water Resources Commission, in the Department of Natural Resources. Our agency was created under Chapter 685 of the Acts of 1966 with the responsibility to enhance the quality and value of the water resources of the Commonwealth and to establish a program for the prevention, control and abatement of water pollution.

Three companion pieces of legislation provided for a State bond issue of $150 million to assist cities, towns and districts in the construction of waste treatment facilities and two tax inducement provisions for industries constructing their own treatment works.

Since the passage of these Acts, Massachusetts has adopted standards of water quality on all interstate, intrastate and coastal and marine waters. The interstate portions have been approved by the Federal Department of the Interior, thus making these Federal standards as well as State and providing to this State the maximum Federal grant percentages on eligible projects throughout the Commonwealth. An implementation schedule for corrective action has been established for some 230 industries and 130 communities in the State, and letters of intent indicating willingness to comply have been received from 95 percent of those contacted. The total estimated price tag on a Statewide consideration is one-half billion dollars with approximately one-half to be cost-shared by the Federal Government, one-quarter by the State and the remaining one-quarter by local financing.

Since corrective amendments to the Massachusetts Clean Waters Act, grant offers have been made to eleven communities representing some $13 million worth of construction. This figure will reach $20 million by the end of this fiscal year, including the pre-financing of $4 million of the Federal share due to cutbacks on Federal appropriations below the authorizations of the Clean Water Restoration Act of 1966.

The Massachusetts Standards of Water Quality, Volumes II and IV, cover the classification of waters and delineate a waste treatment construction program for the Blackstone and Ten Mile River systems, respectively. These standards have been approved by Secretary of the Interior and as such become Federal standards as well as State standards. The Massachusetts program is progressing in satisfactory fashion with the limits of this conference area and I have included in my statement today an abatement status report.

This status report is given in the spirit of cooperation with the Federal Water Pollution Control Administration but in no way represents a submission of information that transcends the jurisdictional responsibilities of the enforcement provisions of the Federal Act or which would constitute a commitment for changes of the Massachusetts standards of water quality or the implementation plans. These standards were adopted on June 20, 1967, by the Massachusetts Water Resources Commission and approved by the Secretary of the Interior on August 8, 1967.

Table I is a list of the municipalities in Blackstone and Ten Mile River. Worcester has appropriated its share of funds----

MR. KLASHMAN: Excuse me, Mr. McMahon, when you talk about Table I is that the same Table I----

MR. McMAHON: In my presentation. Worcester Project No. 1 has appropriated its share of funds and applied for Federal and State grants - supported H 4507 calling for establishment of Blackstone River Water Pollution Control District to permit inclusion of some nine surrounding communities--received favorable report from Committee; now in House Ways and Means. It is now Senate 424.

Worcester Project No. 2 is on schedule.

Auburn: Appropriated funds to tie in with Worcester system and are awaiting outcome of earlier-mentioned Senate #424.

Millbury: Appropriated funds and awaiting for State and Federal grants.

Grafton: At the present time is scheduled for an adjudicatory hearing on June 20th.

Northbridge: Dates have been established; 6/68; 3/69; own; 3/70; 5/70; 9/71. They are on schedule.

Douglas: Voted funds for engineering study. They are behind schedule. To be called in for hearing after collection of data and evidence.

Uxbridge: At the present time is behind schedule---report due in August.

Millville: It was not in our estimation considered a relevant source of pollution. We have additional work on this and question individual violations.

Blackstone: Presently obtaining evidence for an adjudicatory hearing.

Plainville: No relevant sources of pollution.

North Attleboro: They presently have adequate treatment.

Attleboro: They presently have adequate treatment.

Table 2

Industries within the Blackstone River System.

The first four are in Millbury and the plans are being reviewed. Felters Company--final plans being reviewed. A.D. Windle--to be picked up by a municipal sewer. W.W. Windle, to be picked up by a municipal sewer. New England High Carbon--report being reviewed--on schedule.

Sutton: Snider Brothers--not yet in non-compliance.

Grafton: J. J. O'Donnell--obtaining evidence for adjudicatory hearing.

Northbridge: Kupfer Brothers--obtaining evidence for adjudicatory hearing.

Douglas: Hayward Woolen--out of business.

Douglas: Hayward-Schuster--report will be submitted in May.

Uxbridge: Stanley Woolen--report will be submitted in May.

Uxbridge: Emile Bernat--report being reviewed. They are on schedule.

Uxbridge: Waucantuck Mills--out of business.

Blackstone: Blackstone Potato Chip--not yet in non-compliance.

Blackstone: W & S Laundry--not yet in non-compliance.

Millville: Blackstone Wool--not yet in non-compliance.

Table 3

List of Industries on the Ten Mile River.

Plainville: Whiting & Davis--report being reviewed--on schedule.

Plainville: Plainville Stock--behind schedule.

Plainville: A & J Tool & Finding--behind schedule.

North Attleboro: Balfour--report due in June.

North Attleboro: C. Ray Randall--behind schedule.

North Attleboro: Oscar Hillman--report being reviewed--on schedule.

North Attleboro: Cheever, Tweedy--this is Hillman owned in North Attleboro. It doesn't actually give the status of that one.

North Attleboro: V. H. Blackington--behind schedule.

North Attleboro: Standard Metals--behind schedule.

North Attleboro: R. Blackington--behind schedule.

North Attleboro: L. S. Peterson--behind schedule.

North Attleboro: Plante Fontaine--no plating wastes.

North Attleboro: General Chain--behind schedule.

North Attleboro: Quaker Silver--behind schedule.

Thomas C. McMahon

North Attleboro: C.K. Grouse--not known.

Attleboro: Dodgeville Finishing--report to be submitted in June.

Attleboro: Thompson Chemical--now Thompson Apex--not in non-compliance.

Attleboro: Sheilds, Inc.--not in non-compliance.

Attleboro: Sweet Manufacturing--now in West Mansfield.

Attleboro: Marathon--report approved--on schedule.

Attleboro: Robbins--behind schedule.

Attleboro: Charles Thomae--report to be submitted early June.

Attleboro: Antaya Brothers--behind schedule.

Attleboro: Bates & Klinke--tenant only.

Attleboro: O. Ed. Cameron--out of business.

Attleboro: Attleboro Electroplate-behind schedule.

Attleboro: Leavens Manufacturing--report approved--on schedule.

Attleboro: APCO Mossberg--connected to municipal sewer.

Attleboro: Metals & Controls--not in non-compliance.

Attleboro: Walton & Lonsburg--report approved--on schedule.

Attleboro: Mossberg Pressed Steel--moved to Rhode Island.

Attleboro: Mount Vernon Silver--behind schedule.

Attleboro: F.R. Simon--behind schedule.

Attleboro: Ripley & Gowan--behind schedule.

Attleboro: Balfour--behind schedule.

Attleboro: Swank--report approved--on schedule.

Seekonk : Attleboro Dyeing & Finshing have volunteered to clean up.

Pawtucket: Pawtucket Dyeing & Bleaching--referred to Attorney General's office--interstate problem.

SUMMARY:

Of twelve municipalities in the Blackstone and Ten Mile River basins, nine are either on schedule or we have no information to indicate they will be in non-compliance.

Of 15 industries in the Blackstone, 13 are either on schedule or we have no information to indicate they will be in non-compliance.

Of 38 industries in the Ten Mile, 21 are either on schedule or we have no information to indicate they will be in non-compliance.

In conclusion, it is most apparent that there is a tremendous need for continuation of cleanup efforts to provide for the maximum use of the Blackstone and Ten Mile Rivers. Fulfillment of efficient and progressive programs of corrective action in Massachusetts and Rhode Island will provide for the optimum utilization of these waters for all legitimate purposes.

Thank you.

MR. STEIN: Are there any questions or comments.

MR. KLASHMAN: Mr. McMahon, may I get something clarified? Do I understand correctly that in your Table Northbridge, Millville and the Attleboro Dyeing and Finishing Company in Seekonk were not in the standards that the Secretary approved but are now in your list?

MR. McMAHON: Yes, this is correct.

MR. KLASHMAN: I notice that you have dates for Northbridge. You have the date of June 1968, March 1970 and September 1971. I understand these dates are the dates--well, could you explain the dates to me?

MR. McMAHON: Well, the first date would be for the engineering report.

MR. KLASHMAN: Which is June 1968?

MR. McMAHON: Yes.

MR. KLASHMAN: March 1969?

MR. McMAHON: The second date would be the appropriation of funds. They have evidently set their own sights. March 1970 would be the completion of final plans and May 1970 would be the beginning of construction and September 1971 would be the completion of construction.

MR. KLASHMAN: Now, for Millville, as I understand it, this is not a source of pollution. Would you explain this?

MR. McMAHON: According to our reports now, we don't consider this a relevant source and on the individual violations these will probably be investigated.

MR. KLASHMAN: But there is no collection system?

MR. McMAHON: That is right.

MR. KLASHMAN: What about Seekonk, the Attleboro Dyeing and Finishing Company, you said they have volunteered to clean up. You have a date?

MR. McMAHON: It is rather unusual, but they have volunteered to clean up and we certainly must give them credit. We have been working on a date with this industry and probably within the next week I could give you the date, but today I think this would be either unfair to the industry or perhaps on the part of the State. So that we do have correspondence in the office as to their general progress and what dates we feel that they can meet. I think we will defer this.

MR. KLASHMAN: Would it be possible to keep the record open until these dates are set, Mr. Stein, so it is part of the record?

MR. STEIN: Well, we have a lot of them here without any dates. Let's finish on these new ones first.

MR. KLASHMAN: The other question is on the people who are behind schedule. When do you think you will--are you going to have to revise the completion dates or will you still stick to those?

MR. McMAHON: At the present time, we have recognized a number of industries that are probably a couple of months or say between a week and two months behind on the preliminary plan. We have not granted extensions, because, in each case, we feel and they feel that they can still meet the construction dates and these are the dates that we are primarily interested in. For the ones that do not meet or haven't hired consulting engineers under the provisions of our Act, we would schedule them for adjudicatory hearings prior to the issuance of an order. Presently we are getting information and data on holding a number of hearings which we feel is necessary.

MR. KLASHMAN: Will we be able to get a list now of the ones that you are going to take this type of action on?

MR. McMAHON: Well, I think it would be a continuing thing. I think we have about eighteen on a tentative schedule.

MR. KLASHMAN: I meant on the Blackstone, just the Blackstone?

MR. McMAHON: Just Seekonk.

MR. KLASHMAN: On the Blackstone you have mentioned a number of sources that are behind schedule and what you are saying is that you are going to either adjust the date or in some cases you may have to take other action. I was wondering, as far as the Blackstone River is concerned, if you might have something definite on what you are going to do, you know, whether the dates are merely because of minor delay or are you going to---

MR. McMAHON: This is a continuing type of effort, Les, and it is really hard to say. We operate on a day-to-day basis as far as these things are concerned. All we can say is where they miss the dates adjudicatory hearings will be held at the time it may be necessary. Or additional dates or different dates may have to be made.

MR. STEIN: Let me try this--and by the way, Tom, I recognize your problem and that is the one reason I have been reluctant to talk about keeping the record open, because I hate to put a close on a continuing negotiation. The question I think that we have here--and let's see if we can resolve it--you have dates for really all of these.

MR. McMAHON: Yes.

MR. STEIN: Now, if we got a list of those dates and you got those--I imagine that they are a matter of public record--you can tell what basis Mr. Yasi or Mr. McMahon are making their judgment on.

MR. KLASHMAN: The dates are in the report but the question is are the dates being adjusted now?

MR. McMAHON: Very few of these dates are being adjusted. Now, to my knowledge, we haven't granted in this river basin any extensions in time,even though an engineering report may be coming in a month or so late. I think primarily the only time we will be making changes in dates will be after the adjudicatory hearing has been held and the Division is issuing an order. Now, if this happens, this will be an administrative order and have the backing of the law of the Attorney General's office and this is when the dates really will be changed.

MR. KLASHMAN: The dates that are in your standards are in our report and, are still the dates that you are hitting for, plus the new schedule that you submitted for Northbridge?

MR. McMAHON: Correct.

MR. KLASHMAN: And for the Attleboro Dyeing and Finishing that you are going to have within a---

MR. McMAHON: Within a week or so.

MR. KLASHMAN: The other thing is they had a date in the first conference of March 1966 for a preliminary--January 1966 for the preliminary report and the plan would be in operation by January 1969. I take it there is or they are in violation now of the January 1966 date. They don't have a preliminary report. Attleboro Dyeing and Finishing in the first session of the conference there was a date of January 1966 for their preliminary report. Have they submitted that yet?

MR. CASAZZA: To my knowledge, they have not submitted it to the new Department and I do not believe that they submitted anything.

MR. KLASHMAN: They are in violation of the first conference.

MR. CASAZZA: Yes, why they were left off, was strickly an oversight.

MR. KLASHMAN: I am not questioning that. The question I am raising is if the record were held open for a few weeks to get these dates in...

MR. STEIN: I am very hesitant in a continuing-negotiation operation to hold the record open, because as we all know, and I don't think that our position in dealing with this is any different than either one of the States, we all are faced with the same problem here. Very often if you need another week for negotiations you can resolve the case and get the pollution control much faster than this notion of keeping the record open under a continuing-negotiation process, and this is something that I am not sure we should do. Of course, we will keep the record open if you want to keep it open for two weeks after this session, but I don't want the implication that if the material doesn't come in, this is necessarily a problem. Here is the situation we are faced with: Let's suppose we have a completion date of 1971, and to get the completion date in 1971 you have to have certain interim dates, preliminary plans, final plans, arrange for financing, contracts and everyone has to have this in mind--i.e., the people who are putting in the work and the State or Federal regulatory agencies.

Very often there is a situation in which one of these interim dates is not met. There may be good reasons, bad reason or no reasons at all, but this happens. Now, on the continuing basis we all have to make that kind of judgment--whether this is really that significant or it is going to push the construction date back or not. If it is not going to push it back and we meet with the people who are supposed to put in the treatment works--obviouly Massachusetts is doing the same thing--and they agree to come in a month or two months late with say a preliminary report and no adjustment on that date, they are just going to work a little harder and it is going to be tighter for them to work to meet the completion date. But I do think--and I see no reason, no question on everyone's not agreeing with the judgment of the Massachusetts people--when there has been a significant lapse,they take care of it. But the question here is what do we have to gain by dealing with these little adjustments in the interim dates that any regulatory agency is dealing with on a day-to-day basis. As a matter of fact, in the compliance here I don't think our problem is any different.

MR. KLASHMAN: Shall I explain to you, Mr. Stein, what I am talking about. Seekonk, the Attleboro Dyeing and Finishing Company is not listed in the standards. It would appear to me that if the State of Massachusetts can submit firm dates for the conference record and for the conferees to submit to the Secretary that they then will automatically become part of the standards and this will clean this up.

MR. STEIN: That is another question if you have any dates missing.

MR. KLASHMAN: I understand, Mr. McMahon, you can get thes dates within you say how long?

MR. McMAHON: Within a week.

MR. KLASHMAN: I would like to request that the record be kept open to get these put in.

(Copies of letters of May 29, 1968, June 5, 1968 and June 12, 1968 follows.)

MR. STEIN: Mr. Yasi?

MR. YASI: Mr. Chairman, we have no objection to the record remaining open for this one matter.

MR. STEIN: All right. Now, you have another point on this.

MR. KLASHMAN: There is one last question and that has to do with the Pawtucket Dyeing and Bleaching Company. Could you explain to us what the position of the State of Massachusetts is relative to the Pawtucket Dyeing and Finishing?

MR. McMAHON: I think Mr. Yasi can answer this.

MR. YASI: Mr. Chairman and Mr. Klashman, we have an advisory and not an official opinion of our Attorney General; it is an administrative advisory which we requested, making certain suggestions and advising us on the law. I won't preempt the Rhode Island conferee with what he has been doing. So could you hold this question until after the Rhode Island conferee has made his statement and then I will be glad to get into this in detail?

MR. KLASHMAN: Yes, please I would like to do that.

MR. STEIN: Are there any other comments or questions? I have one question to clarify this. What do you mean "not yet in non-compliance?" You hadn't heard from them at the time?

MR. McMAHON: It means effectively that we think they are not going to meet their dates. That is what it really means. But there is no official date that has been missed at this time.

The Commonwealth of Massachusetts

Water Resources Commission

State Office Building, Government Center

100 Cambridge Street, Boston 02202

OFFICE OF THE DIRECTOR
DIVISION OF WATER
POLLUTION CONTROL

May 29, 1968

Mr. Lester Klashman, Regional Director
Water Pollution Abatement Control
U. S. Department of the Interior
John F. Kennedy Building
Cambridge Street
Boston, Massachusetts

Dear Mr. Klashman:

Submitted herewith are implementation dates for the municipality of Northbridge and for the Attleboro Dyeing and Finishing Corporation in Seekonk. This action is taken in accordance with page 30, Volume I of the Massachusetts Water Quality Standards:

NORTHBRIDGE (Blackstone River)

Preliminary report and plans	June 1968
Appropriation of funds	March 1969
Acquisition of site	- -
Final plans	March 1970
Initiate construction	May 1970
Complete construction	Sept. 1971

ATTLEBORO DYEING AND FINISHING CORP. (Ten Mile River)

Preliminary report and plans	Oct. 1968
Final plans	Feb. 1969
Initiate construction	April 1969
Complete construction	Dec. 1969

Your concurrence in these dates is requested.

Very truly yours,

Thomas C. McMahon

Thomas C. McMahon
Director

TCM/WAS/bi

45M-2-67-944480

THE COMMONWEALTH OF MASSACHUSETTS
WATER RESOURCES COMMISSION
STATE OFFICE BUILDING, GOVERMENT CENTER
100 CAMBRIDGE STREET, BOSTON 02202

OFFICE OF THE DIRECTOR
DIVISION OF WATER
POLLUTION CONTROL

June 5, 1968

Pawtucket Dyeing & Bleaching Company, Inc.
1110 Central Avenue
Pawtucket, Rhode Island 02861

RE: Pollution of Ten Mile River

Gentlemen:

According to the records of the Massachusetts Division of Water Pollution Control your Company is in violation of Section 42 of Chapter 21 of the General Laws of Massachusetts. Notification of this violation was sent to your Company on November 22, 1967 (Registered Letter No. 168422) requesting a Letter of Intent to Comply with a schedule for abatement proposed by this Division. This letter request was not answered. It is also our understanding that previous discussions between your Company and the Rhode Island Department of Public Health failed to bring about any positive results for corrective action.

This matter has been reviewed by the Regional Office of the Federal Water Pollution Control Administration, the New England Interstate Water Pollution Control Commission, the Rhode Island Department of Health and the Massachusetts Division of Water Pollution Control.

You are hereby directed to appear in Room 333, State Office Building in Providence at 10:00 a.m. on Friday, June 21, 1968. Failure to appear will constitute sufficient reason to initiate legal action by the appropriate State and Federal regulatory water pollution control agencies.

We request notification by registered mail as to your intention to comply with this directive.

Very truly yours,

COPY

TCM:jb

Thomas C. McMahon, Director - Massachusetts
Department of Water Pollution Control
100 Cambridge Street, Boston, Massachusetts

Walter J. Shea, Assistant Director
Environmental Services-Rhode Island Department
of Public Health-321 State Office Building
Providence, Rhode Island

Lester M. Klashman, Regional Director
Federal Water Pollution Control Administration
J. F. Kennedy Building, Boston, Massachusetts

JUN 12 1968

Mr. Thomas C. McMahon
Director, Division of Water Pollution Control
Massachusetts Water Resources Commission
State Office Building, Government Center
100 Cambridge Street
Boston, Massachusetts 02202

Dear Mr. McMahon:

This is in reply to your letter of May 29, 1968, addressed to Mr. Lester M. Klashman, Northeast Regional Director, Boston, Massachusetts, supplying implementation dates for the municipality of Northbridge and the Attleboro Dyeing and Finishing Corp.

Your prompt compliance with the conclusions and recommendations of the second session of the Federal enforcement conference in the matter of pollution of the interstate waters of the Blackstone River and Ten Mile River and their tributaries (Massachusetts-Rhode Island) held under the provisions of Section 10 of the Federal Water Pollution Control Act is appreciated indeed.

Sincerely yours,

/sgd/ Murray Stein

Murray Stein
Assistant Commissioner
Enforcement

cc: Northeast Regional Director, Boston

MR. STEIN: You do have a date in all these cases, that is, a date certain where you are able to make the judgment that they have missed. Thank you. Are there any other comments or questions?

MR. KLASHMAN: I have none.

MR. STEIN: Thank you very much. You have anything else on Massachusetts.

MR. YASI: Does Mr. Roberts wish to make a statement? I have a note here.

MR. ROBERTS: No, not now.

MR. STEIN: Is there anyone else from Massachusetts that would like to make a statement?

MR. FITTON: I would like an opportunity to talk on the conditions of the Ten Mile River.

MR. YASI: I think you will have to come up here.

MR. STEIN: By the way, sir, are you from Massachusetts or Rhode Island?

MR. FITTON: My name is Lawrence R. Fitton from Attleboro, Massachusetts, and I would like to ask for the opportunity of having a clarification on page 44 of the first report.

STATEMENT OF LAWRENCE R. FITTON (REPRESENTING MAYOR THOMAS A. PIGGOTT), CITY OF ATTLEBORO, ATTLEBORO, MASSACHUSETTS

MR. STEIN: Sir, for the record, would you look at the title of the report and give the date.

MR. FITTON: This report is "Report on Pollution of Interstate Waters of the Blackstone and Ten Mile Rivers, Massachusetts-Rhode Island." The date is January 1965.

MR. STEIN: By the way, who put that out? For the record, please identify it.

MR. FITTON: United States Department of Health, Education, and Welfare, Robert A. Taft, Sanitary Engineering Center, Cincinnati, Ohio. The reason I ask the question now is because I am interested in the remarks made of the Pawtucket Dyeing and Bleaching plant and I understood that it meant that it wasn't included in this. I wonder if the reference to this on page 45, showing this to be one of the polluters, would mean that this was part of the report.

MR. STEIN: Mr. Klashman?

MR. KLASHMAN: Would you please on page 45, read what you are talking about?

MR. FITTON: Well, it starts on page 44 in order to get the whole effect of this. "At the first Massachusetts-Rhode Island State line crossing, pollution became more severe. Effluents from the Attleboro sewage treatment plant contributed to extensive deposition of sludge and, because of unsuitable water quality, a reduction in both numbers and kinds of bottom organisms occurred (figures 11 and 12). Even sludgeworms found living difficult. Slimes, algae and sludges covered much of the gravel and sandy stream bottom. At the second State line, Ten Mile River supported dense growths of aquatic weeds covered by stalked microscopic forms that indicated a bountiful bacterial food supply and slimes. Bottom organizms in this polluted area consisted principally of pollution-tolerant midges and sludgeworms. Sludge was evident. A similiar assemblage of organisms occurred at the third State line below the waste outfall from the Pawtucket Dyeing and Bleaching Inc., plant. The effluent from the plant holding ponds was deep purple in color.

The stream bottom at this point was covered with sludge and rat tail maggots--those organisms that are adapted to live in a stream devoid of oxygen--were observed where the effluent enters Ten Mile River."

My question would mean to bring to attention that this may have been included.

MR. KLASHMAN: May I clarify. In the report that Mr. Gozzo gave he indicated that in the standards submitted by both Massachusetts and Rhode Island inadvertently the Pawtucket Dyeing and Bleaching Company was not put in the first session of the conference on the Blackstone River because this Company was to have a preliminary report in by March of 1966 and were to have the problem corrected by January of 1969. This question will be discussed later when Mr. Shea or when Rhode Island makes its presentation and also be clarified by Mr. Yasi. But the point is it is in the enforcement report, and the conferees agree to this date, as I understand--these dates at the last session of the conference. I believe now the Company is in violation because they have not submitted a report, to my knowledge, as of March of 1966, and they are covered not in the standards but in the enforcement report and also in our report. Does that clarify it?

MR. FITTON: Thank you. I was interested in getting clarification on that. Further I am quite surprised there was no mention of the quality of the Ten Mile River as it flows through Attleboro in a very chocolate colored state, when at the last meeting that we had in 1965 it was a rather clear flow in comparison. Now, this has come about due to some construction, perhaps, of highway installations, and I wonder if this shouldn't become part of the record which will show that this particular part of the Ten Mile River has become what I would suspect to be polluted by causing some sludge to flow endlessly, month on end. I just wanted to bring that to your attention.

MR. STEIN: Thank you for your statement. Are there any questions or comments?

MR. KLASHMAN: I think Massachusetts has classified the stream and they are going to meet the classification.

MR. YASI I assure you of that. I assume you are talking about some temporary construction?

MR. FITTON: Temporary construction doesn't go on month after month and I say this in the form of a complaint.

MR. YASI: We are well informed. Thank you

MR. STEIN: Are there any other questions and comments. Mr. Yasi?

MR. YASI: No. Is there anyone else, any other resident of Massachusetts who would like to make a statement?

STATEMENT OF JOHN FRANCHI, BUREAU OF ENGINEERS
CITY OF WORCESTER, WORCESTER, MASSACHUSETTS

MR. FRANCHI: Yes. My name is John Franchi from Worcester, Massachusetts, the Bureau of Engineers. This is a question on the method of financing. We have all our money and we are talking about some $10 million and have been requested that we pay over a thirty-year period.

We thought possibly we could get the $10 million and pay the Federal Government back. This is an imposition on the taxpayers if we were to raise the $10 million.

MR. YASI: First of all, are you employed by the City of Worcester?

MR. FRANCHI: Yes, I am.

MR. McMAHON: I really didn't understand the question. You are presently--your present status is one of going into the financial planning?

MR. FRANCHI: Yes, sir.

MR. McMAHON: Now, your question is as to your share?

MR. FRANCHI: The method of financing.

MR. McMAHON: The method of financing is generally controlled either by the Federal or State laws, either from the Water Pollution Control Act or the municipal financial laws within the Commonwealth of Massachusetts. Generally speaking, the grants coming from the State and Federal Governments come in the form of cash payments according to construction schedule, but the cost sharing for the town is usually on bond authorization over a particular bonding period. Your question is you would like to do it some other way?

MR. FRANCHI: Yes.

MR. YASI: What other way? I think I got the backgound now.

MR. FRANCHI: Well---

MR. YASI: You mean to appropriate the $10 million in one year? I can't believe you mean that.

MR. FRANCHI: The Government has planned to pay $10 million over a period of 30 years and we have to----

MR. McMAHON: The Government pays it on the construction progress schedule. For example, if you are 25 percent done,you get 25 percent of the Federal grant at that time,or maybe 50 percent completion of the construction you get 50 percent payment. On the State payments, once you start construction you get 17 percent of the State grant and then 8 percent at the completion of the contract, so if you have a bond for your share this will cover the earlier payment to the contractor and then, of course, the Federal and State grants as they come in will pay the balance.

MR. FRANCHI: I would like to discuss it later with you.

MR. YASI: Certainly.

MR. STEIN: You want to make a statement on this?

MR. PELOQUIN: The problem that this gentleman was referring to is proposed legislation, which has been introduced but is still in committee. This is the contractual arrangements between municipalities and is not law at this time.

MR. YASI: I sense maybe he meant that, but it is not law,as you say, and I will be glad to explain it to him later.

MR. STEIN: All right. Are there any other comments or questions?

MR. YASI: I guess that we have no other witnesses, Mr. Chairman.

MR. STEIN: All right. I will now call on Mr. Shea.

STATEMENT OF WALTER J. SHEA, ASSISTANT DIRECTOR OF HEALTH, ENVIRONMENTAL HEALTH SERVICES, RHODE ISLAND DEPARTMENT OF HEALTH, PROVIDENCE, RHODE ISLAND

MR. SHEA: A conference on pollution of the waters of the Blackstone and Ten Mile Rivers allegedly affecting the health or welfare of people in an adjoining State was held on January 26, 1965, at the request of the U. S. Department of Health, Education, and Welfare. The Chairman of this conference was Murray Stein, the present Chairman. At the conclusion of the conference, the Federal representative recommended setting a deadline for adopting adequate treatment of all wastes discharged into these rivers which affects an adjoining State. This proposal was objected to by three of the four conferees including the representatives of the New England Interstate Water Pollution Control Commission, the State of Massachusetts and the State of Rhode Island, as encouraging delay in some instances.

However, the Secretary of Health, Education, and Welfare recommended that all wastes discharged into the Blackstone and Ten Mile Rivers and their tributaries which affect an adjoining State provide adequate treatment for these wastes so as to meet the classification requirements of both Massachusetts and Rhode Island and the New England Interstate Water Pollution Control Commission of Class C at the State line, no later than January 1, 1969. I believe this date was selected unilaterally.

The State of Rhode Island has submitted standards and a plan of implementation for the abatement of pollution of all interstate waters including the Branch, Blackstone and Ten Mile Rivers. A time schedule leading to the adoption of adequate treatment means for all the wastes discharged in these rivers was submitted in the plan of implementation. The time set in the standards for abatement of pollution of the two industries located on the Branch River which may be properly considered at this conference is December 1969. One of these industries already has a treatment system in operation which is removing over 90 percent of the BOD from raw wastes.

Operation of these facilities has already resulted in the improvement of the water quality of the Branch River at the State line to the extent that is meets Class C requirements. Plans for treatment of the wastes from the second industry have been prepared. It is expected that the BOD of these wastes discharged into the river will be reduced by 85 to 90 percent by December 1969 as indicated in the standards. The wastes from a synthetic yarn plant in East Providence which was entering the Ten Mile River were intercepted in July 1967 by extension of the East Providence sewerage system. Thus, all discharges of pollution into the

Ten Mile River in Rhode Island have been eliminated.

There is, however, the problem of the wastes from a Rhode Island industry located in Pawtucket on the Ten Mile River. The wastes from this plant, after passing through lagoons located in Massachusetts, are discharged into the Ten Mile River in Massachusetts. It was thought that Rhode Island has no jurisdiction in this matter as the discharge is not into Rhode Island waters. It was further understood that the Massachusetts authorities were assuming the responsibility to abate pollution from this source. Upon learning recently that there is a question of the jurisdiction of the Massachusetts authorities in this matter, our Attorney General has been asked to render a written opinion as to whether or not the State of Rhode Island can act in this matter.

While the Department of Health has submitted to the Federal Water Pollution Control agency plans and a schedule for the control of all sources of pollution of the Blackstone River, information is being submitted at this conference on those sources only that might affect Massachusetts, since the enforcement conference relates solely to such pollution. This position is confirmed in former Secretary Celebrezze's letter of April 9, 1965, to the Department of Health.

A time schedule for adoption of adequate waste treatment for all sources of pollution was submitted in June 1967 to the Federal Water Pollution Control Administration, U. S. Department of the Interior, as part of the State standards. Because of the deep involvement of the Federal Government, making grants up to 55 percent of the cost of construction of municipal facilities, the time schedule developed for municipal facilities is based upon Federal grant funds being available in the amounts authorized by the Clean Water Restoration Act of 1966.

It is now apparent that there will be a substantial reduction in the amount of Federal grant funds to be made available. It is understood that this reduction was made at the request of representatives of the Federal Water Pollution Control Administration.

As a consequence, construction of some of the projects will be delayed beyond the time scheduled in the standards. I don't feel that one community can be required to construct facilities without any grant when its neighbor is receiving a grant of 55 percent of the cost from the Federal Government and 25 percent from the State for the same type of project.

MR. STEIN: Are there any comments or questions?

MR. KLASHMAN: Mr. Shea, you have a copy of your statement?

MR. SHEA: Yes.

MR. KLASHMAN: Looking at Table 1, page 2, in discussing the municipalities in Rhode Island which are discharging to the Blackstone River, we discussed Woonsocket. It is my understanding that in the first session of the conference we had set dates for Cumberland, Manville and Albion for corrections by January of 1969. Do I understand correctly that in the standards which you have submitted and in the proposals which have been made by the Federal Water Pollution Control Administration the dates are as stated and the completion dates for Cumberland would be March 1969 instead of January and September 1970 and for Manville and for Albion November 1971 instead of January 1969? Is that correct?

MR. SHEA: Let me preface my remarks or response, first of all, that the sites of Woonsocket and Cumberland, in my opinion, have nothing to do with or are not germane to this hearing because any pollution of the Blackstone River from these sources doesn't affect Massachusetts.

MR. STEIN: But let's clarify that. This situation as I know, Mr. Shea, has come up in many, many States. It has come up in every State where a river flows down from one State to another--as for example the Hudson River between New York and New Jersey. Now, here is the position--of course, one can differ on that--that the Federal authorities have consistently taken. We have elicted information on the river system in the lower States not only on the basis that it is going to affect the other State, but on the question of judging whether the upper State is going to have an equitable program to clean up its wastes. In other words, the notion of eliciting information is to try to get a basis of an equitable program for the State above, and I think the Federal authorities, from the beginning, have indicated that that information was germane or relevant. Now, I thoroughly agree with you, Mr. Shea, that no one can hold a downstream State such as Rhode Island on the Blackstone River as being responsible for polluting an upstream State. No one has said that. That isn't the information asked for. But just for the other reason, now, I think the people and the record can show exactly what the issue is. I don't believe there is any disagreement on the basis of what you say--that the pollution of the downstream State certainly is not within the enforcement jurisdiction; but as to cleanup there, it has consistently been held that it is germane to these proceedings because of the equities in the situation.

MR. PELOQUIN: Mr. Stein, as far as the Interstate Commission is concerned and with due consideration to the Compact, the Commission has approved a classification for the Blackstone River. I think probably regardless of the degree of treatment provided that the States signatory to the Compact are pledged to initiate and pursue a program which would achieve a classification, so the overriding factor is approved classification and not necessarily the degree or treatment or the type of treatment for a given source. A schedule for meeting the date is part of the State program or rather the scheduled date for meeting the pollution classification is a part of the abatement program for each State.

MR. KLASHMAN: Mr. Shea, I understand your position, but would you have any objection to answering the question that these dates as listed here for Cumberland, Manville and Albion, and I should have mentioned Lonsdale, was supposed to be done by July 1969. I am talking about the standards that you submitted.

MR. SHEA: I don't mind discussing the standards, but I want to make it crystal clear that they don't belong in this conference. Let me read just a bit from Secretary Celebrezze's letter to Doctor Cannon. After the last conference he said, "...the following recommendations are to be carried out:

(1) All municipalities named at the conference discharging wastes into the Blackstone and Ten Mile Rivers and their tributaries which affect Massachusetts are to be provided adequate treatment for their wastes..." This is clear as it can be.

MR. KLASHMAN: Mr. Shea, may I explain to you why I am pursuing this? The Blackstone River standards have not been accepted yet by the Secretary. It is my hope that at the completion of this enforcement conference that the conferees will submit to the Secretary recommendations for--with dates --and I would hope that following that, that the standards for the Blackstone River will be adopted. It just seemed to me as another reason, in addition to the one that Mr. Stein gave, that it would be advantageous to both the State of Rhode Island and the Federal Water Pollution Control

Administration to clarify this here, and I recognize what you are saying and I recognize what you have just read.

MR. SHEA: As I said earlier, I will be glad to answer your question. But I want to make it clearly understood that in so doing I feel that it has no place in this hearing.

MR. KLASHMAN: I understand that.

MR. SHEA: Now, I think there is matter on the first question.

MR. KLASHMAN: Well, first Cumberland, do you have dates there? These are not your dates.

MR. MAINE: This is not a source of pollution. The Federal report has an error in listing Cumberland Hills as a source of pollution of the Blackstone River. This is not so.

MR. KLASHMAN: It does go to the Blackstone.

MR. MAINE: It does not go into any river.

MR. SHEA: There are no sewers in Cumberland. You see, this is apparently something that was included.

MR. KLASHMAN: Was it in their standards?

MR. MAINE: On the sewage treatment plant they do have a source of pollution, and our standards are quite clear that there is no source of pollution coming from Cumberland Hills.

MR. KLASHMAN: It is proposed that they do put in the secondary?

MR. MAINE: It was when we submitted the standards.

MR. KLASHMAN: Is that changed now?

MR. SHEA: Yes, we hope it will be.

MR. KLASHMAN: What you are saying, in effect, is that it should be deleted from the standards?

MR. SHEA: Yes. It should be deleted as a source of pollution. If a community is unsewered and you put in a treatment plant, you don't put the treatment plant in to correct a source of pollution.

MR. KLASHMAN: I understand there was a collection system and you put in the treatment plant.

MR. SHEA: Well, originally, it was thought that would be done.

MR. KLASHMAN: I am talking about now?

MR. SHEA: Presently, there is a better arrangement. That was the arrangement which was acceded to. There was no money at the time to do anything different, but there is now. It is our hope that the arrangement can be made and the Blackstone Valley Sewer Commission's sewer is to be extended all the way to the Woonsocket line, which will pick up sewage not only from this area which is unsewered and some of these other places which are correctly listed as a source of pollution, but what Mr. Maine pointed out was Cumberland isn't properly listed here and it shouldn't be in this.

MR. KLASHMAN: Do I understand it should not also be in the standards?

MR. MAINE: Let me clarify this, Lester. We put Cumberland in the standards as a proposed collection system and sewer treatment facility, and they have no sewer system now. We listed this in the standards as one of the projects that would proceed, not necessarily for abatement of pollution but because of the need for sewer service in the Cumberland area.

MR. KLASHMAN: As far as the standards are concerned at this time, they are not causing water pollution and, therefore, they should be deleted from the standards?

MR. MAINE: That is clear in our standards; that it is not a source of pollution at this time.

MR. KLASHMAN: Going on the Manville and Albion and the dates for completion, the dates for Manville, September 1970, and Albion, November 1971, and Lonsdale, July 1969, to tie into the Blackstone Sewer District--are those dates still firm?

MR. SHEA: Well, of course, as I pointed out earlier, the problem of diminished Federal grants is going to get into all these things. It was intended and thought that with ample appropriations we would meet these dates. Now we are going to have to make some changes because of the limited amount of money, and I can't say this has been fully determined yet.

MR. KLASHMAN: Mr. Stein?

MR. STEIN: Since we are getting technical, what kind of diminished funds?

MR. SHEA: From the authorization.

MR. STEIN: That has nothing to do with the appropriation or the authorization. You have an appropriation in every State, and no one has diminished anything. The Federal grants have been increasing all the time and they are not diminished. I wouldn't bring this up, except we are all getting technical on this operation, and I think we should have a full disclosure here rather than quibble about putting something in. But if we are going to be technical let's really be technical about it and state that no one has diminished the Federal grants.

MR. SHEA: Let's be technical about it. Three years ago, when we were discussing these things, the Federal grant or aid or whatever you want to call it was a rate of 33 percent. The Clean Water Restoration Act increased the potential to 55 percent and left the amount of appropriations at approximately what it was before. Now, you can readily manage with 55 percent and in order to get the 55 percent the State had to develop a parallel aid program of 25 percent.

I think the fact of the matter is indisputable that the program has been preached across these fifty States on the basis of a certain percentage. I am sure that you, in many years of experience, realize today--right here in this hearing, this conference--that when a community has been told it will get 80 percent of the cost of the construction that it is not going to move with less than 80 percent, as long as there is the slighest hope that it will get 80 percent. I think if we avoid this by any technicalities, we are not facing up to the facts. I think the important point to make here to the Secretary via this conference, as long as the point has been made, and let's not call it--as far as I am concerned I don't want to call it a cutback or anything like that, but I want to speak to the issue in the active sense and that is that the full appropriation is necessary. I think that every conferee at this table can agree to that without argument if we are going to do the whole job.

MR. STEIN: You may very well be right and I have said this many times throughout the country--that I think there is maybe a split of economy between the Federal Government and the States or the cities on this. The people who vote the appropriations and the authorizations are the Senators and the Congressmen. Who are the Congressmen and the Senators? They are representatives of Massachusetts, Rhode Island and the 48 other States--no one else. The fact of the matter is that we as administrators do what they dispose and tell us to do and we are following out the program in this sense. I have a feeling the pollution-control people get precisely what they ask for, and I am sure that is what you are going to get.

MR. YASI: That is true. And I would like to make this point, too, that the Administration includes the Department of the Interior, for whom you are sitting here as one of the representatives, and that the Department of the Interior makes certain recommendations through the Administration and through the Bureau of Budget. And I think I would like to say for the record that we hope and anticipate that the Department of the Interior would take this view right down the line--that the total appropriation is necessary. I am sure the Congress, and speaking in relation to Massachusetts Congressional delegation, is fully aware of the people's feeling on this, but somewhere it has got lost. It is no secret what is going on as far as the Bureau of Budget is concerned and what the Administration budget recommends. This is the part that as far as I am concerned is very difficult. It is very difficult to understand. I am sure if we had the whole budget, it would fill this room; and if we look at it a piece at a time, I am sure we might take issue with a $1 million project in water pollution; and I am not going to make that decision and I am sure you are not. But I think one thing we certainly can agree upon without really any argument or debate is the necessity for the full authorization just as soon as we can get it.

MR. STEIN: We are very glad to have your views on that again. I think I am quoting the President on this as he pointed out, "The Executive proposes and the Congress disposes." We have these various elements in the Government working here, and I think I try to put it in a way with those at the table who are interested in water pollution control the notion of the kind of appropriation we get, and I might point out that if all the money authorized were appropriated, you might be surprised at the amount of the public debt. The judgement on the appropriations and what is going to happen is a much bigger and broader question than is going to be solved by conferees such as we have here.

Now, I think the forum for a real solution to this problem is another body. I think it is more than the conferees here, although this is a good sounding board. Mr. Yasi, you sit there and I sit here. We are both employees of an executive agency. Speaking of when the executive formulates a budget we are committed to support the budget plan.

MR. KLASHMAN: Mr. Shea, would you like me to reword my question?

MR. MAINE: I understand the Federal Water Pollution Control Administration recommended a reduced appropriation for this Clean Water Restoration Act.

MR. STEIN: Again, let me make this thing very clear to you here. One, it was not reduced; you are getting more money than you got before. This is the whole operation--I have been through this budget game many times--when you get$200,000, the next year you go in for $500,000 and you get an appropriation of $300,000, and you get cut $200,000. In other words, there is more money being put in than was put in before.

Now again, the budget and I think the budgetary process in the Federal Government is no different than the budgetary process in the State government or anywhere else.

MR. SHEA: I disagree with that.

MR. STEIN: Well, the Chief Executive makes a judgement about the kind of money you have and where the cuts are going to be made or what items are going to be eliminated from the budget. When you get the various heads of the departments in any kind of executive government, the heads of the department has two choices---he either defends the budget or you look for another job. This is the way our system of Government works. Now, this has been an Administration program, and, again, let's start looking at the reality here. I think with the world situation that we have, we have been in numerous discussions for that, and you can draw your own notion on the prognosis, but this has been up several times and I don't see the signs of a material change.

MR. SHEA: All I am trying to point out, Mr. Chairman, is the fact that you have uplifted the 55 percent without compatibly appropriating, and it is going to have a decided effect on the speed with which these things are going to be accomplished. Don't ask the Congress for only a third of what was authorized in the Clean Water Act and then come around to deadlines to get these things done, because you know very well that these things are done as fast as people can get the 80 percent to do them. You have established this generous 55 percent Federal and consequently 25 percent State, so that you get the whole Federal.

MR. KLASHMAN: Mr. Shea, could I rephrase the question. I questioned before the dates that are in this Table are the dates that are in the standards which you submitted to the Secretary.

MR. SHEA: I have to check that with Mr. Maine.

MR. MAINE: Yes.

MR. KLASHMAN: Second, as I understand, in Cumberland there is no collection system now and you are proposing tying this in with the Blackstone Sewer District?

MR. SHEA: Right.

MR. KLASHMAN: On Table 2, I think it is page 2, where Rhode Island has these industries listed again for the two industries in Forestdale, North Smithfield and Branch, these dates are the same dates that are in the standards, and the December 1969 completion dates differ from the January 1969 dates that were in the conference report from the first conference. These two industries are not in compliance with the first conference and the dates as proposed by you in the standards are December 1969?

MR. SHEA: Well, one of these industries has adopted treatment which is cleaning up their problem.

MR. KLASHMAN: Which industry, which one in the table? I am not asking you to name them. That is Table 2, page 2.

MR. MAINE: The third industry.

MR. KLASHMAN: You got their claim of no further discharge.

MR. SHEA: It happens that since this is a lagoon system, which involves a great deal of evaporation, there are times when there is no discharge. But, when there is some, whatever is discharged is improved by 90 percent.

MR. STEIN: Let me have, just say for clarification, that it is a matter of State law that you don't put the names down?

MR. SHEA: Yes.

MR. STEIN: Not legislation, it is in the statute?

MR. SHEA: **Right**.

MR. KLASHMAN: The January 1969 date that was in the conference and the December 1969 date that I am talking about for Forestdale, North Smithfield is a wool-finishing mill.

MR. SHEA: That hasn't reached the deadline and plans have already been prepared for that disposal.

So, under present-day money, municipalities could possibly get a total of 80 percent of the cost of building a sewage treatment plant.

Now, the Federal Clean Water Restoration Act authorized expenditures or appropriations of something like three times what we are getting this year. Now, naturally, when you up the amount, you get a start without upping the appropriations amount. You up the amount people are eligible for from 33 to 55, the amount of money we get is going to go a far shorter distance than it would ordinarily and would have according to the plan that we proposed back in 1965. So this is bound to have a most serious effect on the speed with which this work is achieved, because we can't ask one community to pay 100 percent of the cost of pollution-control facilities while his neighbor is getting 80 percent from the Federal and State and I think anybody would agree with that.

MR. STEIN: That is right, but the point is the law says not to exceed this amount. There is no requirement that the maximum be made. A lot of cities get less than the Federal grant appropriation, and it is going upward each year. The amounts available for these grants are going upward.

MR. SHEA: I think the percentage has gone up.

MR. STEIN: The amount has gone up. If you talk to anyone in the Treasury Department, you have a very difficult time convincing them that, with the appropriations going up all the time, there are diminished Federal grants and that is a very interesting theory.

MR. YASI: Mr. Chairman, I think Massachusetts would like to get a word in on this. I think the remarks that Mr. Shea just made are absolutely appropriate to the question, and I think that your remark that preceded it was technically correct, and I underline the word "technically."

Walter J. Shea

MR. KLASHMAN: There are the dates I understand now below that in Woonsocket there are ten textile industries.

MR. SHEA: Now, we are getting out of the conference area.

MR. KLASHMAN: In the last conference session that you had there was a date of January 1969 and these were going to be tied to the municipalities.

MR. SHEA: The last word that I had is that seven or eight out of 10 have connected, and the others can't get connected until the relief sewer is laid in Woonsocket to accommodate them.

MR. KLASHMAN: You know when that is going to be, roughly?

MR. SHEA: Well, I think it would probably parallel the secondary treatment.

MR. KLASHMAN: So that would be 1972.

MR. SHEA: Yes, plus an 80 percent grant.

MR. KLASHMAN: In other words, that would be July 1972? Below that you have Manville, Lincoln and that is wool finishing and they are already tied in.

MR. MAINE: They have their own--they will be connected to the sewer system when it is extended to that area. The project would be abandoning their own treatment system and tying in with the municipalities.

MR. KLASHMAN: By September 1970?

MR. MAINE: Right.

MR. KLASHMAN: Now, lastly, the Pawtucket Dyeing and Bleaching Company in Pawtucket. As I understand, these were supposed to have a preliminary report in by March 1966, and I understand they have not submitted this to you and they were supposed to be completed by---

MR. STEIN: How did we get their name?

MR. KLASHMAN: --by January 1969. We went down there and saw their plant.

MR. SHEA: As a matter of fact, we didn't. We were the ones to accept responsibility for them, so we didn't put them under any order to get any plan at any particular time.

MR. KLASHMAN: As a result, and I was not here, I understand the conferees at the last session - and Mr. Stein and Mr. Peloquin you better talk on this because I wasn't here - but as I understand from the record, reading the transcript, it was agreed that they would put a preliminary report in by March 1966 and have the plant in operation by January 1969.

MR. STEIN: They may have a Federal proposal. Now, again, as I understand the facts now - and I am not sure we had them before or that the conferees were fully conversant with the facts - as I understand them now, and check me if I am wrong on this, that the industry in Rhode Island that is piping wastes into the Massachusetts waters discharges into waters in Massachusetts. This has always been the most vexing kind of problem. We are hopeful to better this in terms of time because the last one we had like this involved Turkey Creek in Kansas City and it was a lot more complicated. The records disappeared and we didn't know where the sewer went and they had sort of disappeared and it took about 10 years to really get that thing ironed out. The engineering solution wasn't a difficult one; it was a legal problem.

Now, I think in a case like this where we have this, and we have talked about this a little bit, the fact is that it would seem that we have to work out an arrangement between the two States, the Federal Government and the interstate agency as to how to best handle this. In other words, I don't think we should let a fortuitous geographical position block pollution abatement. Now, when we proceed against this - and assuming we would always be happy at the first instance if taken under State law - the problem I think is a very simple one; either we move on the State law or we move on the Federal law. But I think this company is going to have to move one way or the other. I think it is a question, as they say, for the Attorney General's office and everyone agreed there should be a solution to the problem. I think one notion is that we should come up and give this as a problem and I am very optimistic that we will come up with an appropriate solution where both the State and Federal Government can agree that this cleanup will take place.

MR. KLASHMAN: Mr. Shea, as I understand it this industry in Pawtucket can connect to the Pawtucket collection system, which, in turn, goes to the Blackstone Valley interceptor in the Blackstone system, is that correct?

MR. SHEA: Yes.

MR. KLASHMAN: It seems to me that this industry should be done by January 1969. I don't see any big problem here to put in the sewer.

MR. SHEA: We got to pump, of course.

MR. KLASHMAN: A pumping station, to be installed within the next 6 months is reasonable, and I think it ought to be done one way or the other.

MR. SHEA: We are all agreed on that.

MR. KLASHMAN: What is the business as far as Massachusetts is concerned?

MR. YASI: We addressed ourselves to the question--and I think a couple of people have asked and I think we have asked it ourselves---as far as Massachusetts is concerned, and I repeat that we have an advisory and not an opinion that in view of--from the Massachusett's Attorney General's office they recommend that the matter be referred to the Rhode Island Water Pollution Control agency for the reason that there can be no service on this. This is the recommendation that I just got this morning. There are a couple of other possibilities and one is cement and the other is a possible prosecution of the landowner. We are not dropping this matter ourselves, but if the Rhode Island agency can obtain, which it can, service upon this company, of course, this would be the most simple method of handling it.

MR. KLASHMAN: I understand, Mr. Shea, that they don't---

MR. SHEA: All I said was I am worried about the reading of our law, which says that we can control pollution caused by the discharge of water into the waters of the State of Rhode Island.

MR. KLASHMAN: I would like to get someting clarified, since there is a question between the two States. Who has jurisdiction? Is the Federal Government ready and able to take this into Federal court if necessary?

MR. STEIN: We would like to have this handled at the State level if possible. Now, the point of view of the Federal Government is that we don't wish to have these jurisdictional questions if you can avoid them. If the State wants to refer this to us, we will take it. But I would prefer that if it is at all possible that Massachusetts and Rhode Island work this out between themselves. What I would like to tell the industry is don't think because of your location that you are exempt or that you are going to crawl within the cracks of a jurisdictional dispute, because

I would suspect that the States very well may work this out. But we still have the big Federal net underneath, but we do not have, in my opinion, the Federal jurisdictional problem. Now, I think both States are very much aware of the problem and are working on that cooperatively. I don't know that the conferees can make this judgment, but it looks to me as if they are going through the usual process of two States with a rather unique legal problem headed towards a solution. I, for one, am hopeful that the States will either come to that or as an alternative come to us and get this cleaned up.

MR. KLASHMAN: Mr. Stein, it seems that we all agree this thing is going to be cleaned up by January of 1969. It would also seem to me that if the States want a month or so in order to get this matter resolved and get the jurisdiction resolved, within say a month, it seems to me that we ought to agree if this can be done then it is not going to be referred to the Federal Government. But let's get it done.

MR. YASI: Mr. Chairman, Les, let me make our position as clear as words can make it. One, there is pollution, direct pollution, in the streams of the Commonwealth of Massachusetts. The source of it is indirect. However, once it crosses that line, as far as I am concerned it has polluted Massachusetts waters. Now, I repeat I haven't had a chance to refer to this--it was dated yesterday--or to discuss this with General Richardson or his Assistant who prepared this. However, we will take every possible action, and you won't have to wait a month or two. If the Commonwealth cannot act out of lack of jurisdiction, which I really question, and if the State of Rhode Island cannot act, I will state for the record we will go to work on this, this afternoon, Les. I want to just say for the record, it seems to me, that this doesn't differ, Murray, in great respect from the fellow standing over the line throwing a rock into Massachusetts from Rhode Island, and, certainly, there may be a possibility of extra jurisdiction on a criminal act--and I would assume without even asking Brother Shea that he will give whatever cooperation he can give us and we will certainly do the same with him--but I am not too quick to dump this in your laps for this reason: I would guess that this is not an individual case as far as our State is concerned. There may be many others. At least, there may be a few others. I think we also would agree that Federal prosecution may be necessary in a situation where one person can literally wave this situation in all our faces. I would like to recommend one thing while we will act unilaterally that we get a letter signed by you, if possible, Les, mayself or Tom, and the Rhode Island authorities--a single letter signed by all of us indicating very clearly that we intend criminal prosecution if this matter is not resolved in terms of whatever---

MR. STEIN: Who intends criminal prosecution, not the Federal people.

MR. YASI: If it is referred to them.

MR. STEIN: I don't think we have that authority; ours is civil action.

MR. YASI: Well, we intend legal proceedings. It seems to me that if these gentlemen receive this concerted type of decisive action, common sense will prevail.

MR. STEIN: I would like to again state--and you may have a point here --I think these cases will have to come to your attention. This is a very rare and unusual case. We have had in our experience very, very few polluters in the country where we have this kind of situation. So I don't think this is going to set much precedent. But, again, I think that the States should try to work this out. We will pledge our full cooperation to you.

MR. YASI: One last thing for the record, Mr. Chairman, the history of this case administratively with us is that it was added to the schedule in July, and the company was notified on the violation and was asked to comply with the schedule and there was no answer. We notified the owner of the plant upon which the company has its lagoon. The land is in Massachusetts and the owner allegedly lives in Rhode Island; no answer. This was followed up with registered letters; no answer. Finally, it was referred to the Attorney General's office and the advisory,dated May 27th,I received this morning. I think that should be in the record.

MR. KLASHMAN: One other thing for the record,I understand that the Pawtucket Dyeing and Bleaching Company of Pawtucket was invited to attend this conference by the State of Rhode Island authorities. Is there anybody here representing that industry? (no response) I take it then that they chose not to accept the invitation.

MR. STEIN: Either that or not to be recognized.

MR. KLASHMAN: I would just like to get clarified for my own mind, as I understand it, the two States are going to work out some procedures. I understand if you are unable to do so, as Mr. Yasi said, then you will refer it to us, and that if you are unable to work out some questions or some equitable arrangements between the two States and this would happen, perhaps, you said in less than a month?

MR. YASI: Well, the other part--if you would join us and if Rhode Island would join us in a single letter to the company, indicating our joint action by whatever means are available, and I just say this can be done formally by the letter,signed by all of us, it would seem to me that common sense would then prevail.

MR. KLASHMAN: I understand your position then. But what my understanding was--and correct me if I am wrong--that if you were unable to get something moving by this company, some positive action within about a month, what you said was as I understand it---

MR. YASI: I don't know about the month, Les, and I will repeat I would be delighted to refer this matter for higher jurisdictional level.

MR. STEIN: Now, I think you have heard from Mr. Yasi on the diligence in trying to get service, and it is just one of the real problems. Now, Rhode Island may have another problem in trying to get service, but, again, I think somebody should realize that given all three authorities,we should not have that problem. I don't think the Federal Government or Rhode Island can do more than Massachusetts has tried to do, except we probably could send a man out to find the man and then you would still have to mail it and this has been the problem. Are there any other questions or comments?

MR. SHEA: I don't have any.

MR. STEIN: You want to preceed with the presentation of Rhode Island?

MR. SHEA: I have fully proceeded. I do have a note here that Mr. John Cronan of the Department of Natural Resources would like to make a statement and I would be certainly glad to have him do so. Is Mr. Cronan still here?

STATEMENT OF JOHN CRONAN, DEPARTMENT OF NATURAL RESOURCES
RHODE ISLAND DIVISION OF CONSERVATION, PROVIDENCE, RHODE ISLAND

John Cronan

MR. CRONAN: Thank you, Mr. Stein and Mr. Shea. I want to apologize for perhaps trying to speak out of order here and I don't believe that--well, first, I represent the Rhode Island Division of Conservation, which is charged with the management of fish and game resources here in Rhode Island. I don't believe that for the record there has been any statement concerning our interest in the Blackstone. Mr. Yasi, in Massachusetts, wears so many hats that fish and game there is well taken care of. I don't have any official statement. I just want to say very simply that we feel and fully endorse and support the statement by Tom Shrider of the Federal Bureau of Sport Fisheries and Wildlife on the question of anadromous fish.

MR. KLASHMAN: The question was if the pollution of the Blackstone River was cleaned up or removed would anadromous fishery be possible?

MR. CRONAN: Yes, it would.

MR. KLASHMAN: It would be restored?

MR. CRONAN: We have budgeted a program through 1972 and we are not considering the Blackstone because of extremely poor quality.

MR. KLASHMAN: Do I understand if the quality were improved so that the fishery could be supported that you would be interested?

MR. CRONAN: The Blackstone and Seekonk.

MR. KLASHMAN: In anadromous fishery?

MR. CRONAN: Yes, we would.

MR. STEIN: Thank you.

MR. KLASHMAN: Mr. Shea, I think I would like to point out that if this statement is true and if the question about the damage between Rhode Island affecting Massachusetts are changed because if there is an anadromous fish run then the people in Massachusetts are very definitely affected.

If the pollution is preventing the run of fish up the river, this pollution, whatever it be in Rhode Island,is affecting the other State. I would just like to point that out.

MR. SHEA: That is very interesting. I think Rhode Island has the floor for the moment. If there is anybody else here from Rhode Island that would like to make a statement or a somewhat brief address, I would be glad to welcome them to do so.

WALTER REISMAN, STAMINA MILLS, INC.
FORESTDALE, RHODE ISLAND

MR. REISMAN: My name is Walter Reisman and I happen to be the owner of one of the mills on the Branch River that was mentioned as being one of two polluters. I have lived on the river or been associated with it for almost 50 years.

MR. STEIN: Sir, are you going to remain anonymous as to the mill?

MR. REISMAN: No, the name is Stamina Mills, Inc. I might say that the river is probably the cleanest it has been in 50 years. When I was a kid, there were at least 20 mills running, and for various reasons they are all gone. Stamina very nearly went that way, because when we investigated the cost of correcting water pollution, the figure that was shown to us was approximately $60,000 exclusive of land acquisition that is necessary for proper lagooning or for the installation of activated sludge. Also there was the question of whether the town would permit us to put in this type of thing. However, just within the last day or so, we have completed the necessary investigation and we have hired and spent over $20,000 up there in engineering studies, and we have determined the flow of water, the amount of pollution, the type, as well as what had to be done to clean it up. From these studies we have decided to stop scouring wool cloth in the traditional method. We are going to install in the mill a dry-cleaning system that will eliminate the discharge of all detergents, practically all detergents, of all oils and all of the wool that has been entering the river. This will also make it possible to cut our flow from what was originally estimated to be around 2,000,000 gallons a day. With corrective measures we have reduced the effluent wastes to around 1,000,000 and with the installation of this machine, it should reduce it to a point less than 200,000 gallons a day.

In addition to this, we have determined that we will eliminate approximately 30 percent of our product line; i. e., we make a product line which requires an extensive amount of work, as well as dyeing, and the dyeing process of this cloth contributes a very substantial part of the pollution, and to clear this up is truely a tremendous thing. We have just decided to eliminate it. We are not exactly happy to have to do this, but economically it is the most feasible thing to do. It is impossible at this time to make, or so our engineers say, an entirely accurate forecast as to the treatment that will be necessary for our waste after we complete this machine installation, and the completion date for this installation is about six months. However, we do have a budget of an additional $75,000 to take care of any remaining wastes. We happen to be the last full integrated wool mill running in Rhode Island and hope we can stay. This may be the only thing that keeps us here.

MR. STEIN: Thank you. Are there any comments or questions? I would like to thank you for that contribution. Because, again, what you said indicates the approach an industry can take toward this problem and is ready to meet it. I would also say for the industry people here, too often you don't come farward and tell your own story. You can do it best. The other thing is, I think there must be recognition of an active State program in this area, with both working together in order to get an approach of that kind. I think that is what I would consider fairly typical of a good sign towards actively moving the water abatement program ahead. We thank you for your contributions. Are there any other comments or questions?

MR. FITTON: Can you speak germanely to this if you are a resident of Massachusetts?

MR. STEIN: When you are called on, sir, we place no limitation on what anyone can say, as long as what they say is germane to the subject of the conference.

STATEMENT BY LAWRENCE R. FITTON, REPRESENTING MAYOR THOMAS A. PIGGOTT, CITY OF ATTLEBORO, ATTLEBORO, MASSACHUSETTS

MR. FITTON: Mr. Chairman, members of the conference, my name is Lawrence R. Fitton of Attleboro, and I was sent here to represent the City of Attleboro by Mayor Thomas Piggott, I think I would be remiss in my obligation as a delegate if I did not mention a condition that Cumberland Farm, located in Cumberland, Rhode Island, is alleged--and I say this as an individual because I don't have proof--to have discharged effluents from the cattle operation into the Seven Mile River tributary, which is a source of pollution, and I understand this is continuing. This has been going on perhaps over a year, and I think that this should be germane to this conference and brought to your attention. At no time have I heard mention of this pollution of the Seven Mile River tributary and yet it is a very serious and severe pollution and it has affected the water supply of the City of Attleboro. We have the Manchester Pond reservation of water and the reservior that is contaminated.

MR. KLASHMAN: Where is the area you are talking about on that map?

MR. STEIN: By the way, is this a feedlot you are talking about?

MR. FITTON: This is a feedlot that several hundred cattle are contained in one small area.

MR. KLASHMAN: Would you mind showing us on the map the area you are talking about?

MR. FITTON: I am not that familiar with the area except that it is in Cumberland and this is of concern.

MR. KLASHMAN: Where is this water supply for Attleboro that is in the Blackstone Valley?

MR. FITTON: On the other side of the hill, the Blackstone, a tributary to the Ten Mile.

MR. KLASHMAN: There is the Ten Mile approximately. Is this the Seven Mile River?

MR. FITTON: Because of the fact that I am not that familiar with it and I wouldn't want to make any statements of identity, except to say this particular situation is in Cumberland, and it is Cumberland Farms owned by Haseotis, Inc. It is of some concern that this be abated and I think it should be properly included in this conference.

MR. STEIN: Mr. Shea?

MR. McMAHON: Mr. Chairman, I offer the services here of Mr. Casazza who is familiar with the Cumberland situation.

MR. FITTON: That is all I have to say.

MR. SHEA: All I wanted to comment on is that this is a rather remarkable situation as far as Rhode Island is concerned, because the dairy farm is in Massachusetts, the milk goes to Connecticut and they lug the manure to Rhode Island. So what he is talking about is merely some drainage, and we have been chasing these large truckloads of manure to various places trying to find out where it is going and control it. So the problem surely isn't limited to the Seven Mile River in Massachusetts.

MR. KLASHMAN: Mr. Casazza?

STATEMENT BY JOHN B. CASAZZA, STAFF ENGINEER, DIVISION OF WATER POLLUTION CONTROL, MASSACHUSETTS DEPARTMENT OF NATURAL RESOURCES, BOSTON, MASSACHUSETTS.

MR. CASAZZA: The Cumberland Farm is located in the Town of North Attleboro on the watershed of the Seven Mile River and in turn flows eventually down into the Ten Mile River.

This portion of the Seven Mile River that we have been referring to is classified as Class A water and is used by the City of Attleboro as a source of water supply. The water flows down through this river and passes through some dug wells in the middle of the stream. The water is infiltrated through the ground to the pumping station and then into the municipal system.

A few years ago this farm, Cumberland Farms, established what they call "a mass production type of dairy operation" at this location. They brought in several hundred head of cows and they keep the cows in a great big, long building at all times. They feed these cows constantly and the cows are practically constantly milked. The cows are not allowed out into the fields, etc. There is tremendoud amount of manure and liquid wastes from this operation because of this particular feeding practice. The company had been in the habit of having the manure simply shoveled out into this great big, long rectangular building that must be several hundred feet long into a concrete bin, and, from time to time, it had been in the practice of taking this amount of manure up on their land which covers hundreds of acres and simply to dispose and get rid of it by spreading it all over the ground as the normal farmer does to dispose of manure. But they do have this very large amount. I have never seen this operation, but, as I understand, the manure was being spread on the land about a foot thick all over the hundreds of acres. They tried other ways of geting rid of this. They tried to sell it and they couldn't find any market for it. But as a result of this operation, in any event, every time it rained, or through their own activity, every time it rained, the manure would be washed down into the Seven Mile River and it picked up a tremendous amount of bacteria.

At the same time, the company when they couldn't spread the stuff, would open a valve and let the liquid wastes go down to the river. The Massachusetts Department of Health who has control over the water supply found out that this operation was going on and that the bacterial content of waste was going up. They, together with the City of North Attleboro, took action against the company. They went to court and through our Attorney General's office prosecuted the case for the Department of Public Health. They tried to get an injuction against this company and they went into court and the judgment was to have the company and the interested parties sit down and come up with certain agreements. The company originally failed to keep these agreements and continued to allow this waste to go down at night into the river and possibly during other times. So the Department of Health put some survelliance on this thing and finally caught this company discharging this waste and they went into court again on this matter. But now I think it has been practically a year since, through survelliance, that they have found that the company has not been discharging any of this waste into the Ten Mile River. We have had our own law enforcement down there investigating this thing and we find no evidence of them now doing anything.

The solution has been for them to haul it down into Rhode Island, Mr. Shea.

MR. KLASHMAN: Can you explain to me how this operation in Rhode Island is affecting the Attleboro water supply.

MR. CASAZZA: This operation takes place in North Attleboro; this operation takes place in the Town of North Attleboro.

MR. KLASHMAN: This is completely intrastate.

MR. CASAZZA: I beg your pardon, it is an interstate; it does discharge to the tributary.

MR. KLASHMAN: What you are saying is nothing goes to Rhode Island, sir, that would affect Massachusetts?

MR. CASAZZA: That is right. It should be listed as a source of pollution to the Ten Mile River. That is what he is claiming.

MR. STEIN: Is this understood now, that this is solely a Massachusetts problem?

MR. FITTON: I was merely raising the point so this would be covered because of this allegation, and I do have with me today the Health agent for the City of Attleboro, Henry Brousseau, who is more conversant with this problem as it relates to Attleboro. I am wondering if he would come up here and verify this.

MR. STEIN: We will be delighted to hear from him. Believe this or not, we try to be pretty scrupulous about this jurisdictional business. If this is an intrastate problem within Massachusetts, and from what we have heard Massachusetts is moving under its State laws, they have jurisdiction over the parties here and are doing this. And,as I say,if this is a kind of an intrastate problem, we normally do not include it in an interstate case of this character. In other words, this was not left out of the case, as I understand the record here, because of inadvertance. It just lies outside of what we are considering here. However, we are not going to cut anyone off. You bring him up.

MR. FITTON: Mr. Chairman, I understand this, and I am not as closely related to this as the Health agent is. I understand now there is a divergence of this flow past the pumping station and they only divert this because of the possible pollutants. If that is diverged to go into the Ten Mile River, then this is an area of question whether there are pollutants going now into the Ten Mile River. I wonder if we can persuade Mr. Henry Brousseau from the city of Attleboro to come up and speak relative to this. Henry?

MR. CASAZZA: Let me say that we have had this situation under observation. If we could find there was a discharge, a direct discharge from this company and industry in which you have a daily flow every day of an industrial plant discharge into the river, okay. But in this case where they have been caught discharging into the river, this no longer exists. This place was under survelliance for a long period of time now and there have been no reports of such a discharge.

STATEMENT BY HENRY BROUSSEAU, HEALTH AGENT, CITY OF ATTLEBORO, ATTLEBORO, MASSACHUSETTS.

MR. BROUSSEAU: My name is Henry Brousseau of Attleboro, **Massachusetts**. The farm is still a factor of pollution of this river. But the State has made the city put in a divergent stream, which cost $40,000, so that this water will not pollute their reservoir. In order to use the reservoir which has a billion gallons of water, the State made the city put in a divergent stream, which is going to cost $40,000. But the matter is in the courts and it took a year and a half to get a decision. I guess it is not completed, but the Attorney General's department, etc., is pursuing this. It is just a matter of waiting for the court action to see just what they are going to do with the Cumberland Farms. So although it is a longer procedure, I think the State is getting this under control, but it is costing the city of Attleboro money, in the meantime, and the use of all this water, because we can't use the reservoir because this river is the one that feeds the reservoir, so you have to divert it. But I think the State has made progress in this matter and just waiting for the Attorney General's office to get a decision.

MR. STEIN: Thank you. Are there any other comments or questions?

MR. YASI: I just want to say for the record that Water Pollution Control and Water Supply are different agencies.

MR. STEIN: Maybe, and I also want to say that I figured if we were at this conference long enough we would find something to rival the conference record, and, at least, I have run into something that is a foot deep. Do we have any other comments or questions? Does anyone feel he has anything to add now? If not, we will proceed. Mr. Klashman, you had some recommendations and maybe we can go to that.

MR. YASI: Before we do that, please, with your permission, Mr. Chairman, I don't think we were quite finished with a heavy issue that we were discussing about a half hour ago. I would like to address mayself to that issue of money for the record and also we have a forum; we have interested people; and I don't believe it is argumentative. I want to say also that notwithstanding that we may have technical debates and arguments with the Federal agency on a reading of the laws on jurisdictional matters and on a few other administrative matters. I think I would be remiss if I did not say that we owe a good deal of gratitude to some of the very people at this table, especially in the Regional Office, for the manner in which we had their cooperation. I would like to think that we give them the same and that without this teamwork I don't think the program would be working. I am only sorry we don't have time here to tell you where it is in all of New England.

I think, by the way, you ought to get the report of this New England Interstate Water Pollution Commission, the annual report, which will be issued late next month, and compare it with just two years ago. Although there is some water cleaner, I think you will see that there is a good deal going on in the water pollution control field. Now, back to the money situation. Again, without indicating one bit of anger or debate, I think it is perfectly clear that within two years States like Massachusetts--and Walter Shea can speak very amply for himself in Rhode Island--we are going to have very serious fiscal problems. The State of Massachusetts as Mr. McMahon indicated, appropriated $150 million and other fringe benefits for water pollution control a year and a half ago, and we are on the implementation schedule, some of which were related here in regards to the area in the conference today. The Federal authorization does not come down to the States reasonably in the manner in which it was indicated. I say indicated and I mean indicated. We are going to have problems, and we may just be kidding ourselves about these implementation schedules. I think that it is a very serious shame in a situation which our States and our country are just going to have to face up to. No one could be more aware of Vietnam than Massachusetts. I think we all read the papers lately in New England; we are aware of the serious situation not only in this country but in the world. But I think it behooves us all who are interested in this program of maintaining our water so they can be useful to literally not give up on one or two years ago and to actually make Congress aware that perhaps we better take a look at some of the other Federal programs,and some of the other Federal grant situations,and see if perhaps there can be a little pruning at the other end,and possibly let this program continue so it won't be crippled. If this program is interrupted in the next two or three years, it may be the end of it in our generation. This could be very, very serious physically at the municipality level and it could be diastrous at the State level. As far as I am concerned,if this is geared to the Federal grant program and that program gets seriously retarded--and speaking with one of the other hats that somebody said I wore earlier--as far as I am concerned, the resource field in Massachusetts, the control of the water quality and the availability of water and protection of the streams,of whatever size,and the planning for the use of them, is the beginning of the whole research plan of the State. If we are fooling around and spending millions of dollars on land without taking care of this very basic and important water planning program, the flood control program, etc., then we are missing the boat. I, again, think we will be retarded for a generation or two. I simply want to leave it that way and just hope and pray this program continues, Mr. Chairman.

MR. PELOQUIN: As far as the appropriation and authorization here, Mr. Yasi--and I point this out because many people are interested and I think it well to include it in the record--the differences for fiscal year 1968. The Clean Water Restoration Act of 1966 authorized $450 million and the Administration requested $203 million. For fiscal year 1969 the Act authorized $700 million. I think what Mr. Yasi is referring to and also Mr. Shea is referring to is when the implementation plans were developed, they were developed with the idea that the legislation and the funding authorization were made in good faith and that the amounts somewhere near the amounts authorized would be forthcoming to help the States in financing these projects--so that the dates established were based on availability of funds authorized within the legislation. If this does not materilize, I can't help but agree in the New England States the program will be set back, and I have very serious doubts that they will be able to meet the dates.

MR. STEIN: Mr. Klashman, I don't disagree with anybody here. But, again, let me make this plea: I was before the Appropriations Committees both in the House and the Senate this year. They like any other Committees are jealous of their prerogatives, and I would suggest that possibly the approach that Mr. Yasi took might be the way to move this. Once you bring in words like "good faith" and "not good faith"--of course, it is everyone's privilege to handle this the way he wants--but I am not sure you have to feel that this has to be sold to the Appropriations Committees. On the basis of just observation through the years, I am not sure that that kind of approach is most productive of results. If we are talking in terms of requiring X number or X amount of money to meet projects for water restoration, that is one thing. But, once again, once we get into these color words, I think we may run into problems. I believe that the points again that are made here are very well taken. But we don't want that problem. I say this for the conferees that I have heard this at the table and I have seen sentiments expressed by you people from the administrators of various States and interstate agencies and I have seen it throughout the country.

Mrs. Richard B. Roberts

(The following statement was distributed at the conference with the request that it be made a part of the record.)

STATEMENT OF LEAGUE OF WOMEN VOTERS AT RECONVENED CONFERENCE ON POLLUTION CONTROL ENFORCEMENT FOR BLACKSTONE AND TEN MILE RIVERS, May 28, 1968, at Providence.

The initial conference looking forward to cleanup of the Blackstone River, early in 1965, documented in _this_ volume all of the River's pollutions, by communities and by industry. Last year, in _this_ book, the Massachusetts Water Resources Commission established new water quality standards for the river and its tributary streams, section by section, and a timetable was set for these standards to be met.

An old evil was on its way to being righted, and this small river, along with so many greater ones, would become clean again.

Today, the enabling funds which were to be supplied to communities by the Federal Government stand curtailed to a third or less, and prospects for their reinstatement in face of military priorities are unclear, to say the least. It is essential that communities, industry and all people concerned with redeeming our life-supporting waters hold tightly to the goals that have been established, even if the schedule must become slower.

Since the Federal Water Quality Acts of 1965, incessant presentation of the imperative needs of reclaiming the Nation's waters has developed wide public awareness and often a missionary response. Now, with much less money and possible major delays, the whole situation can easily drift back into apathy.

Mrs. Richard B. Roberts

The league of Women Voters, whose members have heartily supported the national water quality improvement programs and our local one, urges utmost sustained endeavor by everyone concerned to continue to reach every goal that is possible.

On the Blackstone, the proposed new Worcester regional sewage treatment plant provides a point of illustration. Not because it is 'our' plant, but because this plant completed and in operation is the biggest key to the entire Blackstone cleanup - let us especially continue all efforts toward this accomplishment.

As you know, the city of Worcester has authorized its five million dollar share of the funds required. The State Department of Water Resources has approved the plans which will assure the State's share in the financing once Federal approval is made.

At that point it will be possible to have specifications prepared work that will require some months but the project will be kept moving ahead, not standing still.

Each of the other Blackstone towns and industries knows what their next step toward cleanup must be. Looking back two years, a tremendous amount of work has been done. Let's stay right with all the Blackstone's problems until they are solved.

Statement by Mrs. Richard B. Roberts
of the Worcester League, coordinator
of League activities for the Black-
stone River.

MR. STEIN: Are there any other comments or questions. Then shall we get on with this and if there are any other recommendations, we will be happy to take them up.

(THE EXECUTIVE SESSION WAS THEN HELD AND FOLLOWS).

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MR. STEIN: All right, gentlemen, may we try to get on with this and if there are any other recommendations we will be happy to take them up. Mr. Klashman, in the Federal Report it was proposed that the dates proposed by the respective States in their water quality standards implementation plans be adopted as the compliance dates for the enforcement conference. Is there any problem with this?

MR. SHEA: We don't have any.

MR. YASI: We feel that it is implemented and I would move that it read that "The dates, standards and classifications and implementation schedule proposed"--and I cannot speak for the Rhode Island conferees--but "proposed by Massachusetts submit if necessary their water quality standards implementation plans adopted by the Commonwealth and approved by the Secretary" and then whatever language you want. I am repeating word for word the recommendation No. 1 that was made in the Connecticut River Conference.

MR. STEIN: I have no objection to that, but here is a little problem that we have and let's try to work this out. The point is this has not been approved by the Secretary of the Interior for Rhode Island as yet. Now, what I understand is that Mr. Klashman was proposing that the conferees would express their notion that this be adopted as compliance dates for the enforcement conference. Now, if you want to make that as well as your own formulation contingent upon the acceptability of the Secretary of the Interior, this is all right; but I think we have to recognize that there has not been acceptance as yet on the Rhode Island standards by the Secretary of the Interior, as I understand the situation.

MR. YASI: I understand, Murray, and what I am saying is: Wouldn't it be more appropriate to divide one in two, really, and make one statement for the Commonwealth and one statement for Rhode Island?

MR. STEIN: We can do it that way; I have no objection to doing it, because one of the advantages you may have with this is bringing it to an issue, and I understand this is what we are doing. We still have an open end on agreement like that until the Secretary adopts it. May we have your language again?

MR. KLASHMAN: Mr. Stein, I think maybe Mr. Peloquin has something to meet Mr. Yasi's statement.

MR. PELOQUIN: Mr. Commissioner, that the first paragraph stand as is and that a new sentence be added to reflect the acceptance by the Secretary of the Massachusetts standards and classification and implementation schedule. Then this would enable both States to be covered.

MR. KLASHMAN: Just a statement of fact that the Secretary did accept the standards.

MR. PELOQUIN: Would that change the context insofar as Massachusetts is concerned?

MR. YASI: Does any member of your staff have the Connecticut Summary here?

MR. KLASHMAN: No, we wouldn't have it here.

MR. YASI: I want to make it clear if it isn't that the Secretary has adopted our standards and classification and implementation plan, and we don't think it should vary in this conference at all.

MR. PELOQUIN: I think that would be the effect of adding this sentence to this particular paragraph. I think that would do it.

MR. YASI: Okay.

MR. PELOQUIN: I don't think there should be any change.

MR. STEIN: You want to suggest that sentence?

MR. KLASHMAN: Mr. Yasi, what Mr. Peloquin is saying, if I may speak here is that you are merely adding a sentence, saying, it should be recognized or it is acknowledged that the Secretary of the Interior has approved the standards and classification for the Blackstone River in Massachusetts on such and such a date.

MR. YASI: The conference will not vary that.

MR. KLASHMAN: This has already been stated in the first sentence.

MR. YASI: I don't read it in the first sentence, that's my problem. It merely states the dates proposed.

MR. STEIN: Let's have your first formulation.

MR. YASI: "The dates and standards, classification and implementation schedule, as adopted by the Commonwealth of Massachusetts, and approved by the Secretary."

MR. STEIN: I have just one point on this, do you want the word "classification" in there?

MR. YASI: Yes.

MR. STEIN: Why?

MR. YASI: The whole point is this: We are enjoying the conference, but we feel that we have met everything that is required under the Federal Water, Clean Water Act, and if we haven't I think we ought to know it today, and I am merely restating, as I did in the Connecticut conference, that we don't recongize this as a vehicle to vary from what the Secretary has already approved. It is as simple as that. I recognize that you may not agree with this.

MR. STEIN: I am not raising that question here with you, Mr. Yasi.

MR. YASI: I think No. 1 does raise it, though.

MR. STEIN: Let's get back to this, did you put in "the Secretary approved" as far as I understand it, "classifications" rather than "standards and implementation schedules"--what I am asking is, if in that series you want the word "classifications"? In other words, here is the suggestion "That the dates, standards and implementation schedule as adopted by" and the point is, it seem to me, to raise a question on classification but I am sure that the Secretary even approved classifications. He approved the standards and implementation schedule and this is---

MR. YASI: Is "classifications" included?

MR. KLASHMAN: The standards as I understand it includes three things. One, it includes water quality criteria, which ties in with water uses, and two, it includes an implementation plan for acheiving these water quality creteria. Thirdly, it includes a plan of implementation. When you use the word "standard" you are talking about, as I understand it, the entire package.

MR. YASI: You leave out the word "classification."

MR. McMAHON: "Classification" is included.

MR. STEIN: In other words, this is going to raise a question that adds nothing, and I think it is included. In other words, my suggestion as just drafted, Mr. Yasi, accomplishes the same results by striking the word "classification."

MR. YASI: Okay.

MR. STEIN: Can we say "The dates, standards and implementation schedule as adopted"--well, we don't need that.

MR. KLASHMAN: Just say "including the implementation."

MR. STEIN: You don't need it. "The dates and standards as adopted by"--is this going to be by Massachusetts and Rhode Island--approved by the Secretary?

MR. YASI: "Shall be implemented."

MR. KLASHMAN: You can't do what you are proposing because the Secretary has accepted the standards for the Blackstone River in Massachusetts, except in the next paragraph there are just a couple of little things that I would hope would be added by this conference. But in accepting the standards for Rhode Island,he brought attention to the fact that the Blackstone River was the subject of an enforcement conference, and, therefore, he was not approving it and he was excluding the Blackstone River from the standards.

Now, it is my understanding that following this conference and when and if the Secretary accepts the recommendations of the conferees that these standards will be approved.

MR. YASI: I apologize. We were conversing for a few seconds and I have just one question; Did you indicate that the Massachusetts standards for the Blackstone were not approved?

MR. KLASHMAN: No, I said that those of Massachusetts were approved and, therefore, you can't word the sentence the way Mr. Stein was doing it for Massachusetts and Rhode Island.

MR. YASI: Well, if Rhode Island has no objection to it---

MR. STEIN: Let me again try it another way before spliting it in two. I am just trying to get the wording here. We can go back to the original and just add this: "that the dates and standards proposed by the respective States in the water quality standards implementation plan be adopted as the compliance program for the enforcement conference."

MR. YASI: No, sir. They have not been proposed in Massachusetts; they are adopted and approved. Secondly we, again, as we did in the Lower Connecticut Hearing, Mr. Chairman, take the view--the very strong view if you will--that the Secretary has acted as far as we are concerned in Massachusetts on the Blackstone. We merely want to state here that we are here to repeat that we have submitted and we are implementing and merely wish to have the other conferees say this is what happened.

MR. STEIN: Let me try this again with you. "The dates and standards adopted by the Commonwealth of Massahcusetts and approved by the Secretary of the Interior and proposed by Rhode Island in its water quality standards implementation plan be adopted as the compliance program for the enforcement conference."

MR. YASI: There are two questions here: one, the word "dates". You both know we have changed some dates and we are not submitting those here.

MR. McMAHON: Evidently, there will be a routine setup on a bi-annual or annual basis where I am sure the States will be reporting back to the Federal Water Pollution Control Administration on progress, on changes and, at the present time, we have no formal arrangement with the Regional

Office, but I suspect this is something that will be done.

MR. STEIN: You have a formal arrangement with us on the enforcement technique, and I don't know anything about the standard report.

MR. YASI: Mr. Chairman, I want to tell you that only relates to Massachusetts, but we have been involved in every enforcement conference you have had since the passage of the Act, so what you are saying certainly doesn't relate to Maine, New Hampshire and Vermont and,obviously,we are trying to do this administratively without holding enforcement conferences when we have a new industry.

MR. STEIN: We don't have to have enforcement conferences to do this administratively and what you propose is to take the word "dates" out at the beginning?

MR. YASI: Yes. To say that the standards that we adopted and were approved by the Secretary are in force,and,in fact,right up through today, and we are doing everything humanly possible to implement them.

MR. STEIN: If you want to say that you can say that and I will be glad to put that in.

MR. KLASHMAN: I would prefer to have the sentence and I will be happy to read "The dates and standards proposed by the respective States in their" etc., the way it reads, and have Mr. Yasi's statement stand as a statement from Massachusetts. I prefer it that way.

MR. YASI: That is fine,as long as the record shows it.

MR. KLASHMAN: I would like to have the first recommendation read "That the dates and standards proposed by the respective States in their water quality standards implementation plans be adopted as the compliance dates for the enforcement conference,"and then, following that, the statement by Mr. Yasi that he did not agree with this sentence and proposed the following sentence.

MR. YASI: That if we don't agree we don't have a conference and recommend the way it should be stated.

MR. STEIN: I will be glad to state it that way.

MR. YASI: If that recommendation stands that way, rather than make a statement, let me ask a question. If there is a change in the date of the many number of cases we have before both States here, doesn't this mean that you have to reconvene this conference for administrative action?

MR. STEIN: No, we have changes in dates, the same as Tom pointed out in his statement. We have a continuous process like any regulatory agency--I am sure you have the same thing in your State--where dates are constantly changed by administrative action. We have that in practically every enforcement operation where there is substantial compliance. For example, let's take a specific--if you run two months behind in preliminary planning or three months behind and you are not changing the last date, or even if you sometimes do, this gets reported in the notation that both the State and we agree to substantial compliance. We have been keeping tabs on about 1,500 cities and 1,500 industries in enforcement conferences and I would say 1,450 are in this category. It is only where we have a substantial breach that we go in or where there is periodic checkup, where at the end of six months or a year where the Secretary feels he wants to have the whole report brought together and give the people an opportunity to talk about this. This has been well-established, and we do not recall a conference for every little variance.

MR. KLASHMAN: It seems to me that, Mr. Yasi, the question you raise is rather an academic one for this reason. If we let--well, let's suppose that we added a sentence that Massachusetts expressed this view. Let's suppose you did not meet a date--and we are talking about the same dates--and let's suppose you do not meet a date, the question about whether we hold a conference or not is up to the Secretary. This is clearly stated in the law--that if you don't meet the standards that action will be taken under Section 10(d), and under Section 10(d) it throws it right back to the enforcement conference. The point is it throws it back on the Secretary having the jurisdiction to call it or take it to court. But I would assume that he would first want to have a conference.

MR. YASI: You raised the whole issue. Look, you just hit the nail on the head that as far as I am concerned on what I am trying to--I want to make certain it goes back to a conference. I want to make certain of this.

MR. KLASHMAN: I don't see the problem.

MR. YASI: We might be reading the law just a little bit differently, and we are not prepared to surrender the jurisdiction of the Commonwealth that easily, and this is not novel. This point was raised very clearly in the Connecticut hearing and you people agreed to it and I am merely asking for a repitition of that. It isn't a new point that I am raising.

MR. KLASHMAN: From my own standpoint, Mr. Stein, I would just as soon let the first paragraph stand the way it is written, and I think your view should be expressed as to Massachusetts's position.

MR. McMAHON: We don't agree.

MR. YASI: We have another procedural debate then.

MR. KLASHMAN: Really I am saying the same thing.

MR. YASI: I have a real serious question in my mind concerning a little piece of Federal law and you people don't agree with me. But, nevertheless, you did agree in the Connecticut case. I don't understand why you are not ready to agree in this case dealing with Rhode Island.

MR. STEIN: Well, the closest that I can see that we can come to this is this: "The Federal conferee recommends that the dates proposed by--the dates and standards proposed by the respective States in their water quality standards implementation plans be adopted as the compliance program for the enforcement conference. Now, the conferee representing Massachusetts recommends that,"and then go into your statement.

MR. YASI: I merely want to place in the record the question as to why in the Connecticut case you agreed and why you don't in this case. I don't expect an answer, but I think it should get to the Secretary.

MR. STEIN: I am the Chairman here, and I am trying to get an agreement. I don't have the Connecticut record in front of me.

MR. KLASHMAN: I don't have any objection to your saying that.

MR. STEIN: All right. Can we get the sentence that Mr. Yasi suggests?

MR. YASI: Let me make a new statement because a little something has been changed here. I simply state "That the Massachusetts conferee recommends that the conferees agree that the standards,"and whatever that includes--and just for the record I include "classifications"--"the criteria and the implementation schedule and dates that were adopted by Massachusetts and approved by the Secretary and are in the course of being implemented, be accepted by the conferees as fulfilling the Commonwealth's obligations to date."

MR. STEIN: All right. Fine. You want to add anything to that, Mr. Shea?

MR. SHEA: It does occur to me as a second thought that this statement ought to relate to the fact of what has been properly conferred upon. This is pretty broad and I don't want to include everything.

MR. KLASHMAN: Mr. Shea, may I suggest to you that if the Secretary accepts this recommendation and this agreement that we then will have, it seems to me, approval of the Blackstone River standards and we then will be able to go ahead with the construction grants program. When the Secretary writes to you it is not going to be illegal and when he writes to you, in my opinion, the same type of letter that he wrote to you before, you know about the jurisdiction--am I right, Mr. Stein, he doesn't have any authority to---

MR. STEIN: By the way, I drafted that letter for the Secretary. Now, whatever you say; if you think this is too broad, let me try to bring you fellows together. "That the dates proposed by the respective States in their respective water quality standards implementation plans for sources of pollution within the jurisdiction of the enforcement conference be adopted by the compliance program."

MR. KLASHMAN: Sources?

MR. STEIN: "Within the jurisdiction of this enforcement conference be adopted as the compliance program for the enforcement conference" and I think that covers it.

MR. SHEA: I am not sure it raises problems.

MR. STEIN: He made his statement.

MR. YASI: I may be intruding now but--it may be none of my business--but I would like to ask the question since we might be involved with this in the future. Doesn't an acceptance by Rhode Island of this statement you just read mean that the Secretary will approve the standards, whatever that means, for the Blackstone in Rhode Island under the enforcement section, as opposed to whatever else Rhode Island will be submitting under the administrative section?

MR. STEIN: What administrative section?

Closing Statements

MR. YASI: Let me answer your question. Under the section where we submit without the benefit of the enforcement conference.

MR. STEIN: The section, as far as I know, makes every effort to see that--the Secretary does--to see that the enforcement recommendations and the standards recommendations are compatible. As far as I read the law, he can only accept the standards under the standards section. Now, if you look in the standards subsection of the law, you see that the standards are included under the enforcement section, the Congress made this part of the enforcement section as an enforcement tool. I don't think there is a difference.

MR. SHEA: I think you have to add the fact that the law clearly states that things are enforceable, only such things are enforceable where one State is involved in doing something to another.

MR. STEIN: I agree with you. As a matter of fact, that is true. Now, the point is this, I think if we accept the fact that almost all water is navigable, and we don't necessarily get into that here, you do have standards for interstate streams. The law does not extend the enforcement jurisdiction, and we would not enforce those standards unless pollution in one State has endangered health or welfare of persons in another State or via the shellfish provisions where waters are also intrastate in nature. We cannot enforce standards for intrastate waters unless we were invited in by the governor. I think this is the way the law reads. In answer to your question, Mr. Yasi, I think the Secretary is going to want the enforcement conference and the standards under the same section in the Act but adopt standards under those provisions of the subsection of that Act which deals with standards. He doesn't take enforcement procedures and make recommendations under that section of the Act which deals with the subsection which deals with standards and I think this Secretary is the first one who really has had this problem and I suspect that other Secretaries are making every effort to see that these are identical.

Closing Statements

MR. YASI: Mr. Chairman, let me first clarify the point I am raising. One, we can have standards submitted, adopted, submitted and approved by the Secretary and we clean up the rivers and never have an enforcement conference. This, you know, is physically possible. That is one route we can take and I would like to refer to that for the sake of clarity as the administrative route. We can have another totally different situation where a State never adopts this and the Secretary can call a conference and literally adopt the standards for the State, correct?

MR. STEIN: Again, I don't know if there are two differenct routes here.

MR. YASI: I am just trying to point this out.

MR. STEIN: No, the point is the Secretary is still proceeding under the standards provision.

MR. YASI: If he has accepted and held an enforcement conference, in my humble opinion, thereafter you don't vary anything without doing it through the conference route. This is what I object to simply because I think it is a deterrent, and I don't think you mean it that way. I think this is a procedural deterrent, and I think it is going to just make for a lot of red tape in resolving very minor administrative problems between the State agencies and the Regional Office, and I object to this. I may be overruled, but I am going to try; and I furthermore don't think that the Department has jurisdiction, where the State has adopted and the standards have been approved, to vary these through their enforcement conference. I don't agree to anything in recommendation No. 1. I would recommend that this attitude be taken by Rhode Island, but I don't represent them.

MR. STEIN: Everyone is entitled to his own opinion on the law. I would say that I don't know that any one of the many lawyers, certainly in Washington, who has reviewed this necessarily agrees with that or in many of the States. I do know of one problem where we had a variance in the enforcement conference and in the standards, involving Illinois and Indiana, as far as the enforcement conference was concerned. That is what those dates are. The Secretary went along with the other point--that once the standards are adopted by the Secretary they become standards. If he is going to vary those standards, he has to call a conference anyway. Whether he does it to vary the standards or not, he has an enforcement conference.

MR. YASI: I made my point, Mr. Chairman.

MR. STEIN: I think these are tools for the Secretary to utilize and he can use whichever one he wishes and this is how we read the law.

MR. YASI: Well, I respectfully disagree with you and I don't believe he can use either tool. I feel that the Federal Act is very clear--that it is the State's job and, if the State is doing the job, there will be no enforcement or interference through enforcement conference. Mr. Chairman, I might remind you that I raised this question nearly nine months ago and I think there was an indication that there would be some form of advisory opinion from the Solicitor's office and I haven't received this. Maybe this is such a small issue that no one took any real stock in it, but I don't think this is the case since national publications are making points on this.

MR. STEIN: By the way, I don't know, of course, because I am not in the Solicitor's office. But they are turning out a great amount of work, and I suggest to you this is the precise point that was covered I believe in the Senate Report on the Bill adopting the standards. They said that the standards provision was not to preclude the use of the conference under the other enforcement provisions, and most people think this point has been made abundantly clear and exhaustively covered in the legislative stages.

Now, I will take that word back to the Solicitor's office and see if they know about it. I haven't seen it and it probably went through the Standards people.

MR. KLASHMAN: Mr. Yasi, could I ask that we just temporarily leave the first paragraph, because I want to get your understanding of position as to what I was going to propose in the second paragraph? That for those industries or municipalities not listed in the water quality stantards a series of dates be established by the conferees be accepted and what I was talking about was the dates that Mr. McMahon gave us for Northbridge, and the report that he gave about Douglas, and then he gave us on Seekonk, the Attleboro Dyeing and Finishing Company, and he indicated that within a couple of weeks he would submit some dates. Were you planning to take an exception to that?

MR. YASI: We plan to submit those to you and we don't see any reason---

MR. KLASHMAN: You are proposing not as far as Massachusetts is concerned that you are going to disagree with this particular conclusion?

MR. YASI: We have stated that we will do it, and we will, but we propose to submit that to you under the administrative submission.

MR. KLASHMAN: What I am saying is, as far as the enforcement conference, you will not accept this as the recommendation of the conferees?

MR. STEIN: Read what you have.

MR. KLASHMAN: "Those industries or municipalities in Massachusetts not listed in the water quality standards a series of dates be established by the conferees will be accepted."

MR. YASI: Well, we would like to simply change, "will be submitted to the Regional Office under the administrative route."

MR. STEIN: We don't have any administrative route; we have one route. This semantic notion of your saying and refusing of getting along in your little wall in Massachusetts and refusing to accept the enforcement procedures of the Act and saying you are willing to do it as long as it isn't enforcement may make good reasoning, but I can't imagine that it is cleaning up water.

MR. YASI: Mr. Chairman, I am sorry you injected the characterization, but I don't think I will answer that.

MR. KLASHMAN: Well, the reason I raised that,Mr. Yasi, was as far as I am concerned what I would like to do on the dates that Mr. McMahon proposed for Northbridge is completely reasonable and I would like to include those in the conference.

MR. YASI: Include the---

MR. KLASHMAN: The recommendations and have the Secretary accept them and become part of the standards.

MR. YASI: Let me repeat what I said, Les, we are going to submit them to you as we did our standards and will this not be accepted in this manner?

MR. KLASHMAN: I don't know yet what the procedure is.

MR. YASI: Let me ask you this: If we have a new industry crop up in Attleboro three months from now and we have dates, what do we do, hold an enforcement conference?

MR. KLASHMAN: I would say that you would send those into us.

MR. YASI: We want to do the same with these.

MR. KLASHMAN: All I am saying, Mr. Yasi, is since we are together now; since it would seem to me that the simpliest way of getting these approved would be merely to make this statement and it would automatically be approved in the standards--I don't think this in anyway precludes you at a later date from having another one crop up that you could put into the standards without having an enforcement conference. I don't see any relationship.

MR. YASI: Let me ask you a question, in your last statement you said it seems to you that the simpliest way--and this is the only thing we disagree on--we think it is far simplier to simply put these in a letter, from 100 Cambridge Street, to the Kennedy Building, which is right across the street, because we assume this is going to happen monthly from now on. I want to know why we are handling the Blackstone in any manner different from any other stream.

MR. KLASHMAN: Well, the Secretary indicated in the Rhode Island standards approval that he was not adopting or accepting those standards, so it appeared to me that what he was driving at, since there is an enforcement conference, he wanted this matter clarified and this is what I understood him to mean.

MR. YASI: I repeat to both of you that this is not novel. I am telling you, word for word, I believe the recommendation that we unanimously adopted and recommended out of the Lower Connecticut River Conference--and may I ask this very pointed question--why was it acceptable then and not this morning?

MR. KLASHMAN: Mr. Yasi, you will recall---

MR. STEIN: I don't recall that statement; that is my problem.

MR. KLASHMAN: You will recall, Mr. Yasi, that I was not particularly interested in accepting that statement at the time. I said I would have preferred to have the statement handled the way we are handling it now, and it seemed to me, after three hours at the time, that there was nothing to be gained by prolonging the discussion and I didn't see that it made that much difference. It seems to me, in this case, I see nothing wrong with doing it this other way and the fact that we do it one way in Connecticut, I think this record is very clear that you have this position.

MR. YASI: The record is very clear that we agreed with that position in the past and you are not agreeing to it today.

MR. KLASHMAN: That is correct. As I explained to you, I was reluctant and I agreed at that time.

MR. YASI: Fine.

MR. STEIN: Well, let's see if we can get No. 2 lined up. Are you agreed on the language?

MR. KLASHMAN: I am, but I don't think Mr. Yasi is. My language is that for those industries or municipalities in Massachusetts not listed in the water quality standards a series of dates established by the conferees be accepted.

MR. STEIN: We do not cover Rhode Island at all in that?

MR. KLASHMAN: Because Rhode Island is not involved. Is it possible for us to go through the three recommendations and then include Mr. Yasi's statement?

MR. STEIN: You are not going to save time doing that. Do you want to make a statement on this, Mr. Yasi? We will put that in as the Federal statement.

MR. YASI: Mr. Chairman, that raises another point. Are we going to have Federal statements, interstate statements and State statements?

MR. STEIN: The only thing I can do, sir, is say that we try to get an agreement, after which a summary of the conference is written and we will put this out as an agreed-upon statement. A summary of the conference means that it summarizes the views. If they are different we put them both down. If they are identical we put down they both agreed.

MR. YASI: Mr. Chairman, I really will appeal to your sense of long experience in this. Under No. 2 we will state for the record and to the other conferees that we will submit a document to Mr. Klashman's office within 14 calendar days, which the Secretary will receive I assume three days later. Now, how in the world can you indicate that we are in anyway infringing upon the Federal establishment for that statement?

MR. STEIN: I have no problem.

MR. YASI: You agree on it?

MR. STEIN: No, I don't have a problem with that. This is a question of your getting together with Mr. Klashman, who is the Federal conferee, and agree upon a statement.

MR. KLASHMAN: It seems to me, Mr. Yasi, that you already have submitted dates in your report for the municipalities and the only dates that have to be submitted are for the industries. So it seems to me that the dates in your report--it would seem to me that we ought to agree that those are the dates.

MR. YASI: I said that we would submit them.

MR. KLASHMAN: Are you saying you may have different dates?

MR. YASI: No.

MR. KLASHMAN: Why can't we do it now?

MR. YASI: Well, what I am saying---

MR. STEIN: Let's try to get an agreement. By the way, if you want to make separate statements you may. Again, all I am doing is trying to get a summary out of you people. Let me try this: As I understand it, "That for those industries and municipalities contributing to the pollution of the waters covered by the conference Massachusetts will submit a series of compliance statements within 14 days. Let me ask you this Mr. Yasi, will you address yourself to the statement and let's make one last try. Mr. Klashman has,"That for those industries and municipalities not listed in the water quality standards the dates established by the conferees be accepted."

MR. KLASHMAN: What that says is this, if I may clarify it. What it says is for Northbridge the date June 1968 has been established for the submitting of the engineering report, March 1969 for the financial provisions to be straightened out and March 1970 for the final report. May 1970 for the construction to begin and September 1971 for the construction to be completed. In addition, as I understand it, for the Attleboro Dyeing and Finishing Company in Seekonk,the State will submit to us a schedule for the record, as I understand it, when Mr. McMahon was talking that will give dates that are in line with the other dates that have been established in your standards. In other words, it is going to be--well, we didn't mention any specific dates because we left this open, but the dates would be in line with your other schedules. We didn't talk about specific dates because that wouldn't be fair--you are negotiating now.

MR. YASI: I know exactly what you mean and let me quote the last paragraph by Director McMahon for the record up here. "This report is given in the spirit of cooperation with the Federal Water Pollution Control Administration but in no way represents a submission of information that might transcend the jurisdictional responsibilities of the enforcement provisions of the Federal Act." Do I need to continue? This is quite clear in our report that we are here to cooperate, and we are agreeing with everything you got on this page, and we will get it to you faster than it can ever be transcribed from this machine. It just has to go across the street in Boston to your office,and I honestly cannot understand and especially, Mr. Chairman, where this is the exact same route that was followed in the Connecticut conference. I think to say any more will become redundent.

MR. STEIN: Put in the language. I understand the difference between you.

MR. YASI: We will agree to everything in No. 1 and in No. 2--well, there isn't anything to do in No. 1.

MR. STEIN: That is right.

MR. YASI: We will agree to continue to implement. Under No. 2 we will submit to you not only this material but all other related material as it is required and comes up from time to time. We think we ought to have, by the way, some formal dates for doing this. I don't want to submit it on a piecemeal basis and, thirdly, I think we already made the statement that I promised to do everything in our power in that case. What more can we say to that?

MR. STEIN: I don't see anything wrong. It seems that we are better off, Les, and let me check this with that statement, which will be "commensurate with those for surrounding municipalities and industries." That sounds better than the change. On No. 3, you had a change that you want to name the industry.

MR. KLASHMAN: I think that sentence should be changed.

MR. STEIN: Let me give you my role here, I am trying to get the views together and be a draftsman and not presenting a view. The notation that I have is a proposal by Mr. Klashman saying that for the industry located in Rhode Island he wants to say "the Pawtucket Dyeing and Bleaching Company." This is the sole change in No. 3, to put the name in there.

MR. SHEA: What does that do besides advertising the matter?

MR. KLASHMAN: It seems to me that in order to make it clear to the Secretary what we are doing we ought to name the industry.

MR. SHEA: There is only one industry involved.

MR. YASI: Excuse me, Les, I think it is on the record from at least five of us the name of this industry.

MR. SHEA: Well, I am not sure we should.

MR. YASI: You are aware, Les, he has a legal problem here.

MR. KLASHMAN: What you are saying is if we just say "industry," we are saying the same thing. You agree with that?

MR. STEIN: No problem.

MR. KLASHMAN: I have no objection to that.

MR. STEIN: I think again you have to recognize---

MR. SHEA: Mr. Maine calls my attention to a little matter on 2, which we are not involved as a State,except it says that the conferees are establishing a date. I feel a little reluctant to establish a date for Massachusetts.

MR. STEIN: By the conference,then put it. We are in agreement on all three.

MR. KLASHMAN: You will have to go through this again for me because I am not sure here.

MR. STEIN: Go through what again?

MR. KLASHMAN: Number 3.

MR. STEIN: In other words, No. 3, reads "That for the industry located in Rhode Island and discharging in Massachusetts, the conferees establish a schedule for this industry to tie to the Pawtucket sewerage system at the earliest possible date, but no later than January 1, 1969, and that the conferee from Rhode Island specify the pretreatment, if any, required prior to the tie-in."

MR. YASI: We have a little more to add to that, and I ask you now to agree to this, "The Federal agency and the two State agencies via a draft agree upon a draft and the interstate agree upon a draft of a letter to this industrialist, indicating a joint determination to resolve this problem by whatever means are available to us."

MR. KLASHMAN: I have no objection.

MR. YASI: Fine.

MR. KLASHMAN: Two, the way I understand it now is "That for those industries or municipalities in Massachusetts not listed in the water quality standards, the series of dates established by the conferees will be commensurate---"

MR. SHEA: Leave out "conference".

MR. KLASHMAN: "Submitted by Massachusetts, the series of dates submitted by Massachusetts and commensurate with those for the surrounding municipalities and industries be accepted."

MR. YASI: Of course, we don't agree and I hope we get over that.

MR. STEIN: What would you suggest.

MR. YASI: Submitted to the Regional Office as an amendment to our standards.

MR. KLASHMAN: The dates that you submit to the standards be accepted by the conference. I will buy that.

MR. STEIN: I thought you--maybe I misunderstood you, Bob, I thought you went to the series for---

MR. YASI: The dates that we reported here we will submit within two weeks.

MR. STEIN: They will be sent to the Regional Office.

MR. YASI: Right.

MR. STEIN: "For those industries or municipalities not listed in the the water quality standards a series of dates will be submitted by the Massachusetts conferees, commensurate with those for surrounding municipalities and industries, to the Federal Water Pollution Control Administration office in Massachusetts forthwith--Boston, Massachusetts, forthwith."

MR. YASI: "As an addition to our standards."

MR. KLASHMAN: I have no objection to saying "as an addition to the standards" provided we say, "and these dates will be accepted by the conferees."

MR. YASI: We don't recognize that this has to be done. You are going to get this right in your hands.

MR. KLASHMAN: I think what we better do is--why don't we take this position, and you just make your position clear, that you are going to submit them for the standards and what the Federal conferee said and just let the record show that.

MR. YASI: Let it additionally show that this is varying from the procedure that was used in Connecticut.

MR. KLASHMAN: That's okay with me. I have no objection to that.

MR. STEIN: You want that in the summary, that we didn't agree to it all all? You want that statement in the summary?

MR. YASI: Yes, sir.

MR. STEIN: All right.

MR. YASI: What you are saying is that you don't want us to submit this?

MR. KLASHMAN: I don't want you to submit them forthwith.

MR. YASI: It is a question of having your cake and eating it too, Les.

MR. STEIN: Let me read this again: "For those industries or municipalities not listed in the water quality standards a series of dates will be submitted by Massachusetts, which will be commensurate with those for surrounding municipalities and industries, to the Federal Water Pollution Control Administration office in Boston, forthwith. The conferee representing Massachusetts states he will be happy to submit this information under the standard setting but not the enforcement conference procedure." Is this what you are saying? Is this the summary? Distinctions like that are pretty good. But isn't that what you are saying, this is the big difference between you?

MR. YASI: Just saying "to establish a precedent in the Lower Connecticut Conference," which we were happy to agree to, and it was done, and I don't see or understand now,especially when we are more than willing to act immediately and promptly on every item that you have here on this page.

MR. STEIN: I don't want to interrupt you, Bob, but haven't I summarized the position that you two people together take? You want to add anything to the summary of this? As far as I can see,Lester said this and you have said this in addition. Isn't this the summary of what you said?

MR. YASI: I will just hold this position.

MR. KLASHMAN: I see nothing wrong with it. That he says is that you are going to submit these with the standards and that you are the conferee from Massachusetts and state that you are submitting these.

MR. STEIN: Additional information under the water quality standards provision of the Act rather than under the enforcement.

MR. KLASHMAN: The conferee representing Massachusetts states that he will submit these additional matters.

MR. YASI: We have agreed No. 3 is all right and I think we are one-third home.

MR. KLASHMAN: Three the way it is written.

MR. STEIN: If we have agreed to No. 3, let's go to number 2, please.

MR. YASI: "The conferee of Massachusetts agrees to submit forthwith a series of dates for those industries or municipalities not listed in the approved standards and such dates will be commensurate with those for surrounding municipalities and industries." Let me stop there just a minute if you are copying this, I want to make a comment now.

MR. KLASHMAN: I would like to very much copy it down. Could I just ask a question, how are you submitting this to who?

MR. YASI: To your office.

MR. KLASHMAN: 'The conferee will submit this to the office of the Regional Director."

MR. YASI: I assume this is the proper place.

MR. KLASHMAN: "Forthwith" etc., and I would like to ask one other question,what does "forthwith" mean?

MR. YASI: You want a date? I will give you a date.

MR. KLASHMAN: A couple of weeks?

MR. YASI: Yes. This is the point I wanted to make: That having said this is identical to what you have asked for in No. 2, and which is identical to what we said in the Connecticut case, what in the world is the problem?

MR. STEIN: If we can stop there, I have no problem. I don't see there is a difference in issue.

MR. KLASHMAN: Mr. Yasi, I have no objection to your second sentence.

MR. STEIN: Why do we need the first sentence. Isn't this whole thing in the second point?

MR. KLASHMAN: You have deleted this in lieu of what appears there.

MR. YASI: Right, we are submitting this to you.

MR. KLASHMAN: "The conferee of Massachusetts agrees to submit to the office of the Regional Director, Northeast Region, Federal Water Pollution Control Administration, forthwith a series of dates for those inudstries or municipalities not listed in the approved standards and such dates will be commensurate with those for surrounding municipalities and industries."

MR. YASI: Right, and the point I wanted to make, when you are through with your question, is this: I want to make it clear that we are submitting and we will be submitting and we will agree to this statement and we will ask that in our submission of these dates that they be added to our standards and approved and become part of our standards, as we will be doing monthly I guess from here on out.

MR. STEIN: You want to put this in the summary?

MR. YASI: Yes.

MR. STEIN: You got the language, state it.

MR. YASI: Mr. Chairman, I have reference to other cases coming along and I don't think it adds anything. "The conferee of Massachusetts agrees to submit, forthwith, a series of dates for those industries or municipalities not listed in the approved standards and such dates will be commensurate with those for surrounding municipalities and industries. The dates will be submitted with a request that they be approved and made part of our approved standards."

MR. STEIN: Change that "industries and municipalities" instead of "or" and we are set.

MR. KLASHMAN: The only thing, again, is will you please make reference to "be submitted to the Northeast Regional Office of the FWPCA?" Couldn't we say that for No. 1, "The dates and standards proposed by Rhode Island in their water quality standards and implementation - in its water quality standards and implementation plan for sources of pollution within the jurisdiction of this enforcement conference be adopted as a compliance program for this enforcement conference," and then let Mr. Yasi make a similar statement for Massachusetts if he wishes?

MR. STEIN: Let's try this and I am just trying to get this thing straight--"that the standards proposed by Rhode Island---"

MR. SHEA: "That have been submitted by Rhode Island,covering the matters which are properly the subject of this conference be accepted as submitted."

MR. STEIN: We are not getting around first base. All we can speak for is this conference and the Secretary can only approve this.

MR. YASI: Does Les agree to that Statement?

MR. KLASHMAN: I think I would have no objection if you wanted to say that.

MR. SHEA: Who is recommending what to do?

MR. KLASHMAN: We are recommending these to the Secretary. What I would prefer,if it would meet with your approval,would be something that would say "the water quality standards (including the implementation plan) submitted by Rhode Island for those sources within the jurisdiction of this enforcement conference be adopted as a compliance program for this conference."

MR. YASI: Have they been approved by the conference?

MR. KLASHMAN: I didn't say they were. The Blackstone River standards have not been approved yet and everything else has.

MR. YASI: Why in the world would we recommend that to the Secretary if he already got it and hasn't approved it? Is this too simple a question?

MR. STEIN: I think he wanted the views of the conferees after listening to this; that is why he called the conference.

MR. YASI: Okay. Supposing just yesterday he disapproved it?

MR. STEIN: He didn't disapprove it; it was pending the holding of the conference.

MR. KLASHMAN: He did not approve it, but he did not disapprove it.

MR. STEIN: Pending the holding of this conference, he didn't approve it. I think he wants our recommendations. I think if we get this adopted as to the compliance program for this, I think you are going to make a greater impact. Otherwise, it seems to me that you are sitting here with a real self-serving statement.

MR. KLASHMAN: What is wrong with the way I worded it?

MR. SHEA: We have submitted standards and as far as you are concerned you are satisfied with them?

MR. KLASHMAN: Yes, sir.

MR. SHEA: I don't know why as far as the Blackstone they haven't been approved.

MR. KLASHMAN: I am right now recommending approval.

MR. STEIN: Read it again.

MR. SHEA: We are pledged and we are legally required to enforce our standards.

MR. KLASHMAN: Sir, I can't answer that.

MR. SHEA: How many times do you need the one thing?

MR. STEIN: Read it.

MR. KLASHMAN: "The standards (including the implementation plan) submitted by Rhode Island for the sources of the pollution within the jurisidiction of this enforcement conference be adopted as a compliance program for this conference."

MR. STEIN: Is that agreeable to you?

MR. YASI: Before I consult I would be happy---

MR. MAINE: You are recommending approval of our standards?

MR. KLASHMAN: We all agree that those standards that Rhode Island submitted are completely reasonable; that although some of the dates are slightly different than the dates that were in the original conference, the conferees believe that the dates as submitted by you now are completely reasonable, and we are recommending that they be accepted. That is what we are saying.

MR. STEIN: Now, the Secretary has a system of recommendations for standards and these recommendations have been made. Our job here is to make a recommendation on the enforcement procedure. As far as I can see, the Secretary wants to determine - and I don't want to get into his mind on compatibility or lack of compatibility - the acceptance of this program under the enforcement procedure and the recommendations approval under the standards. I believe if this is adopted, and I am just talking technical matters, there will be this agreement and this will answer that question.

MR. MAINE: The conference is not recommending the approval of our standards?

MR. STEIN: No. What we are saying, as far as we are concerned, they are perfectly acceptable. Our job is not to recommend approval of the standards; the law is specific on that.

MR. KLASHMAN: When the Secretary receives this recommendation, it would be my judgment that he would then accept your standards. I would think he would; I cannot speak for him.

MR. YASI: Let me ask you this: As far as I am concerned, in voting on this matter or whatever it is, I wonder why can't we leave that aside for a moment the way you stated it and make a recommendation, whatever number it is, that "It is the consensus of the conferees that the standards which have been submitted that relate to the conference area be approved." Is there any problem with that, first of all?

MR. KLASHMAN: Well, I don't think that I can say that as the Federal conferee - let me talk to my lawyer. My lawyer is wearing his other hat and he tells me I would be exceeding my authority to say that. The thing is that I am obviously the Regional Director and I recommend to the Secretary through my channels, which is my Commissioner, I give my opinion on the standards, but I don't think it would be proper for me in a conference to make this judgment.

MR. STEIN: Let me talk to you and try to work this out. As far as I can see, the Secretary has the views of Rhode Island. He has the views of the Regional Director. Acting as the Regional Director in his capacity as Regional Director he has made the recommendation. Then the problem that the Secretary has is the notion of getting this thing compatible with the enforcement procedure. The notion is that what Mr. Klashman recommended before makes this compatible with the enforcement procedure and answered the question. What you are proposing here doesn't give him anything extra than he has now for calling the conference. You can take your choice. But my opinion that a statement like this or a reasonable variance of it that Lester has here will do more to resolve this case than any other approach. This is a determination for the conferees.

MR. SHEA: In this original statement he said the same thing. He is recommending that the dates in the implementation plans be adopted. He is recommending this to the Secretary, is he not?

MR. STEIN: In the enforcement conference it says this, but he is doing this here.

MR. KLASHMAN: I am perfectly happy to stick with my original sentence. I thought you wanted to make these changes and I have no objection to them.

MR. MAINE: Have you recommended that our standards for the Blackstone River be approved? That is why I think Mr. Klashman's proposal here on the first may be a little better because all we are dealing with is the dates.

MR. SHEA: That is the only question that I raised that somebody brought up. Maybe he was being bold in recommending that our submission be approved. But, at the same time, he doesn't hesitate to recommend that our submission be adopted as compliance and I don't see how you can argue with that.

MR. KLASHMAN: May I explain the difference here? You see, sir, you had a conference that you attended and I was not here--I was in Denver--and you, as I read this record, came to agreement on certain dates and these dates that were in the intital conference called for completion of many of the sources of pollution by January 1969. Now, some of the dates that we are discussing now differ slightly from that January 1969 date in Rhode Island and what I am saying is that I am recommending that we recommend to the Secretary that he accept the new dates that you have proposed. This is what I am saying.

MR. YASI: It is my opinion, Walt, that the only reason these gentlemen are changing the words from recommending approval to the Secretary, as opposed to asking the conference to agree on this in the language adopted as compliance dates, is because this advances the Federal enforcement and because it is one major giant step forward. I don't agree to it, and, if you do, I suggest you rethink it. It is as simple as that to me.

MR. STEIN: By the way, as far as we are concerned, there isn't one basis in that at all, because I don't think that either advances or detracts from the Federal enforcement acceptance. As far as I can see, the wording or the whole operation isn't a giant step or a baby step. This is absolutely not relevant, as far as we are concerned, and the only reason we have this is because we are sitting here as conferees, designated by the Secretary, with limited jurisdictional authority. That is all we are exercising and that is why he sent us here.

MR. KLASHMAN: Mr. Chairman, it is my understanding that the Rhode Island conferee, the New England Interstate conferee and myself agree to the following language for No. 1. "That the dates proposed by Rhode Island in its water quality standards implementation plan for sources of pollution within the jurisidiction of this conference be adopted as the compliance dates for the enforcement conference."

MR. STEIN: You want to dissociate yourself from that?

MR. YASI: That's fine with me.

MR. STEIN: All right. We have three points in. Are there any other points?

MR. KLASHMAN: We now have to have Massachusetts; that was only for Rhode Island. You have to have a statement from Massachusetts.

MR. STEIN: All right.

MR. YASI: The statement is "That the conferees agree that the standards adopted by the Commonwealth and approved by the Secretary of the Interior presently in force shall be continued to be implemented."

MR. KLASHMAN: Mr. Yasi, may I have that again.

MR. YASI: "The conferees agree that the standards adopted by the Commonwealth and approved by the Secretary of the Interior presently in force shall be continued to be implemented."

MR. STEIN: I don't have any problems there. I would put "Commonwealth of Massachusetts" and "Secretary of the Interior", since we have Rhode Island here.

MR. YASI: All right.

MR. KLASHMAN: I have no objection to that, Mr. Yasi.

MR. STEIN: Are we all set?

MR. YASI: I think we owe these people a debt of gratitude.

MR. STEIN: Let me say this, what we do here--this is one of the things we try to do in this business--is that whenever you get into one of these sessions you are taking words, pushing and drafting. The notion is that you have their ideas and I think that it is a wonderful thing under our system where, after awhile, we can usually work something out.

MR. YASI: I have one last question, Mr. Chairman. I do sincerely request that you strike from the record your reference to Massachusetts work in the water pollution field and I don't think that you meant it and we would not like it to stand.

MR. STEIN: I have no objection that it not stand but I really meant it.

MR. YASI: Then let it stand.

MR. STEIN: I don't say anything that I don't mean.

MR. YASI: Then for the record I certainly ought to state that the Commonwealth of Massachusetts, in a little over two years, has appropriated $150 million for implementation and has adopted what Secretary Udall, Senator Kennedy and others referred to as one of the most comprehensive water pollution control laws and programs ever adopted in the Nation. And we are busy right up through this week enforcing these laws with prosecutions-criminal and civil. Also we have passed a bond issue for $1 million a year for research, and we have passed a special Act, in order to initiate and implement a program of training water-pollution-control-plant operators. We have submitted this to the Federal agency seeking a grant, and we have submitted it to several other Federal agencies. In its special Act on this training program, our State legislature permitted me to contract with the interstate agency and literally to put up the money for the entire New England area. Mr. Chairman, I think I could go on for two hours with this. In view of that record right up until today, I would like to state for the record that we don't appreciate the remark. Thank you.

Closing Statements

MR. STEIN: Are there any other comments or questions? I would like to thank you all.

MR. KLASHMAN: I would like to make one comment. For anyone who wants a copy of any of the statements that were made for which there are copies, there are some on the back tables there that you may wish to pick up. That is all.

MR. STEIN: Are there any further comments or questions? If not we will stand adjourned.

(Whereupon the conference adjourned May 28, 1968)

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